APPENDIX O

COMMENTS ON THE DRAFT
ENVIRONMENTAL IMPACT STATEMENT AND RESPONSES

(Part 2 of 3)

Comments on Draft Environmental Impact Statement for the Southeast Market Pipelines Project, Including the Sabal (Sinkhole) Trail Pipeline

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Table of Contents

Introduction 1

1.0 There is no need for the SMP Project 1

2.0 It is Dangerous and Reckless to Put the SMP Pipeline through Karst Terrain containing Significant Sinkholes 5
- 2.1 Pipeline stability and public safety unacceptably at risk due to known sinkholes along the SMP Pipeline route 5
- 2.2 Known failures of pipelines in karst and sinkhole areas 6
- 2.3 SMP Project investigation detail inadequate compared to Atlantic Sunrise project 6
- 2.4 Mitigation measures for karst terrain and sinkholes compared to Atlantic Sunrise Inadequate 8
- 2.5 Long-term maintenance after construction for future sinkhole development 8
- 2.6 Inadequate mitigation measures during horizontal drilling operations 8
  - 2.6.1 Risk of drilling through fractures beneath rivers which impact rivers and spring hydrology 9
  - 2.6.2 Inadequate plan to monitor nearby wells and springs for turbidity and failure to address other contaminants of concern 9
- 2.7 Long term maintenance and remediation of sinkholes for life of SMP Project 9

3.0 FERC's Evaluation of Water Resources is Defective 9
- 3.1 Water Body Crossings 10
- 3.2 Increased Erosion 11
- 3.3 Impacts to public drinking water supplies due to construction in wellhead protection zones 11
- 3.4 Impact of construction across water bodies on threatened and endangered species 12
- 3.5 Contamination of drinking water supplies by use of drilling mud during horizontal drilling (HDD), potentially containing chemicals with adverse health effects 12
- 3.6 Wetlands 13

4.0 FERC Fails to Properly Consider the Air Impacts of the Proposed Pipeline 14

5.0 FERC Fails to Properly Evaluate Public Safety Issues 16
- 5.1 Pipeline failure incidents more common 16
- 5.2 Newer pipelines failing more frequently than older pipelines 18
- 5.3 Spectra's terrible safety record 19
- 5.4 Recent Pipeline Accidents 20
- 5.5 811 – Georgia One Call 24

6.0 Environmental Justice Issues Are Ignored by FERC 25
6.1 Improper weight to EJ concerns and discriminatory effect of SMP project 26

7.0 Cumulative Impacts Are Not Properly Evaluated By FERC. 30
7.1 Governing legal principles 30
7.2 Consideration of reasonably foreseeable impacts without regard to tortured and narrow "regions of influence" test 31
7.3 Improper minimization of particular impacts resulting from the SMP Project 32
7.3.1 Climate Change 32
7.3.2 Proposed FPL and Duke Energy power plants 34
7.3.3 Forests 35
7.4 Improper segmentation of detrimental effects of the SMP Pipeline and failure to consider cumulative effects 36
7.5 Failure to properly consider adverse impacts of SMP Project under unsupported theory that impacts are "temporary" 36

8.0 FERC Has Not Properly Required and Considered Mitigation Measures 36

9.0 FERC's discussion and rejection of alternatives to the proposed SMP Project is deficient and results in conclusions that are arbitrary and capricious 38

10.0 The DEIS is Defective Due to Conflicts of Interest 41

11.0 Conclusion – The SMP Project is neither necessary nor convenient, but is instead dangerous and risky, has been improperly analyzed by FERC, and should be withdrawn 43

Introduction

These comments ("Comments") are submitted to address the Federal Energy Regulatory Commission's ("FERC") Draft Environmental Impact Statement ("DEIS") for the Southeast Market Pipelines Project ("SMP Project" or "SMP Pipeline"), with a particular focus on the Sabal Trail Pipeline project component ("Sabal Trail Pipeline") proposed by Sabal Trail Transmission ("Sabal Trail"). Prepared with the expert assistance of NewFields and supported by overwhelming factual, legal and scientific analysis, the Comments are filed on behalf of the Kiokee-Flint Group, Sierra Club, Flint Riverkeeper, Chattahoochee Riverkeeper, Nonami Oglethorpe, LLC, Country, GA, LLC, and Graham Properties (collectively "Affected Parties"), and conclusively demonstrate (a) the lack of any need for the proposed SMP Project and (b) that significant environmental, human health, and social impacts associated therewith have been improperly dismissed by FERC.

Specifically, these comments address (1) the lack of need or necessity for the SMP Project, aka the Sinkhole Trail Project; (2) the reckless and dangerous placement of the SMP Pipeline through karst/sinkhole-prone lands; (3) the permanent impact of the SMP Project on water resources; (4) air impacts that will result from the SMP Project; (5) public safety concerns; (6) Environmental Justice issues relating to the substantial impacts upon minority populations; (7) the faulty evaluation by FERC of the SMP Project's cumulative impacts; (8) the failure of FERC to properly consider needed mitigation measures; (9) the improper dismissal of alternative routes for the SMP Project; and (10) the flagrant conflicts of interest of the contractors who drafted the DEIS, which render the DEIS fatally flawed and unreliable. Taken together, these Comments provide conclusive proof of the inadequacies of the DEIS and multiple reasons for the termination of the SMP Project for Dougherty County and well as for its entire route through Georgia.

CO25-1

1.0 There is no need for the SMP Project.

In the DEIS, FERC justifies the need for the SMP Project on the principal grounds that (1) the Florida Public Service Commission ("FPSC") has found that Florida Power & Light ("FPL") needs additional natural gas, (2) Sabal Trail has signed long-term precedent agreements with FPL and Duke Energy Florida for 93% of the proposed pipeline's capacity, and (3) natural gas generation to meet Florida's electricity demand has grown from 40% to 65% between 2007 and 2012 and is predicted to increase by another 13% by 2022.[1] These stated grounds do not establish a need for the SMP Project.

First, the FPSC has not established a need for the SMP Project and is still in the midst of hearings regarding whether FPL actually needs to build the new natural gas plant that supposedly justifies the

[1] DEIS at 1-5.

CO25-1 The Commission will decide if the proposed project is in the public convenience and necessity. Also, the comments provided are largely in reference to the Okeechobee Power Plant being considered by FPL and the state of Florida. The Okeechobee plant is not a delivery point for the SMP Project, but the EIS considers the potential cumulative impacts associated with the Okeechobee plant in section 3.14.

CO25-1 (cont'd)

SMP Project's necessity.[2] Substantial testimony has been submitted in that matter by at least three expert witnesses who convincingly show that the proposed FPL plant is, in fact, not needed. That testimony includes the following:

- The proposed plant is not needed. FPL relies on a one-part test for reserve margin percentage that is untested against actual impacts on reliability and integrity and also relies on outrageously low Loss of Load Probability values (risk of blackout). FPL fails to admit that this project will guarantee that customers will pay for an overbuilt system with unnecessary costs, and does not address evidence regarding forecasts of the drivers of need for additional generation that are inconsistent with FPL's own forecast data.[3]

- Just two years ago, Florida PSC Order No. PSC-13-0505-PAA-E1 in Docket No. 130198-E1, issued on October 28, 2013, found that FPL's proposed FPL plant was not needed and no new generation would be needed between 2016 and 2022.[4]

- FPL admits in its application to the FPSC that its maximum need in 2019 is 1,052 MW, yet the company is proposing 1,622 MW, which confirms that the company is more intent on building its rate base than meeting the needs of its customers.[5]

- The proposed plant is not needed for electric system reliability and integrity, adequate electricity at a reasonable cost, and fuel diversity, is not the most cost-effective alternative available, and is not needed in light of available renewable energy resources and technologies.[6]

- FPL conceded in its testimony that the proposed plant is not needed to maintain or enhance fuel diversity and, indeed, another natural gas plant will only further increase FPL's reliance on natural gas (as confirmed by FERC's statement that FPL has increased its reliance on natural gas by 25% over a five-year period).[7] Indeed, Florida was recently singled out as the State most at risk for overreliance on natural gas in a study by the Union of Concerned Scientists.[8]

- Conservation measures which might mitigate the need for a new power plant are not being utilized even though they are available.[9]

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[2] *See In re: Florida Power and Light Company for Determination of Need for Okeechobee Clean Energy Center Unit 1,* Docket No. 150196-E1, Florida Public Service Commission.
[3] *See* Testimony of Karl R. Rabago on behalf of The Environmental Confederation of Southwest Florida, FPSC Docket No. 150196-E1, October 14, 2015 at 3 attached as Exhibit 1.
[4] *Id.* at 5.
[5] Rabago testimony at 16.
[6] *See* Testimony of Natalie A. Mims on behalf of the Southern Alliance for Clean Energy, FPSC Docket No. 150196, October 14, 2015 at 1-18 attached as Exhibit 2; Rabago testimony at 14.
[7] Mims testimony at 3-4.
[8] Rabago testimony at 14-15.
[9] Mims testimony at 5-11.

CO25-1 (cont'd)

- The proposed FPL plant is not the most cost-effective option available when compared to available energy efficiency measures.[10]

- The two criteria used by FPL to justify the need for the proposed FPL plant, (1) a total minimum reserve margin of 20% for summer and winter and (2) a minimum generation-only reserve margin of 10% for summer and winter, are not valid.[11] If an appropriate 15% total minimum reserve margin was used and the inappropriate 10% generation-only reserve margin was discarded, FPL would need no new capacity for many years.[12]

- FPL has acknowledged, and current independent studies confirm, that FPL needs no more than a 15% reserve margin, not a 20% reserve margin.[13] Even the Florida Reliability Coordinating Council uses a 15% reserve margin.[14]

- If FPL would make additional investments in energy efficiency and renewable energy, it might be able to avoid adding any additional natural gas power plants and the costs they represent for customers.[15]

As noted in our previous comments, FPL's testimony is consistent with FPL's ten-year history of exaggerating forecasted need and of maintaining inordinately high reserve margins above industry requirements. The testimony is also consistent with our previous comments showing that better use of energy efficiency measures and renewable energy would negate any need for this plant. If FPL's plant is not needed, the SMP Project is not needed because the only other stated user of the SMP Project's gas, Duke Energy, has repeatedly stated that it can easily obtain any needed gas from other sources including the Florida Gas Transmission pipeline.[16]

FERC's second point is that agreements by third-party shippers to ship product through the SMP Project demonstrate a need for it. This contention improperly equates the profit needs of the shippers with the needs of the public. Simply because certain private parties are willing to take the risk that they will be able to make a private profit from the product they ship does not establish a public need for the product. As noted previously, properly established fuel margins, use of accurate demand

[10] *Id.* at 12-17. In addition, Florida has untapped solar potential as shown by the fact it has the 3rd best solar resource but only the 13th highest installed capacity.
[11] Testimony of John D. Wilson behalf of the Southern Alliance for Clean Energy, FPSC Docket No. 150196, October 14, 2015 at 1-24 attached as Exhibit 3.
[12] *Id.* at 24.
[13] *Id.* at 4-10.
[14] *Id.* at 9.
[15] *Id.* at 21-22.
[16] *See "Natural-Gas Plant Not tied to Pipeline Completion,"* Citrus County Chronicle at http://www.chronicleonline.com/content/natural-gas-plant-no-tied-p. . . (May 30, 2014); *"Utility Will Build Plant With Or Without New Pipeline,"* Ocala Banner-Herald at http://www.ocala.com/article/20140714/ARTICLES/140719850?p=. . . July 14, 2014).

CO25-1 (cont'd)

forecasts, and a commitment to energy efficiency measures and renewables negate any need for the SMP Project and would avoid increasing customers' costs.

In *Lakehead Pipeline Co., LP v. Ill. Commerce Comm'n*, 296 Ill.App.3d 942, 957 (1998), the Illinois Court of Appeals addressed this same issue and found a lack of public need. In that case, a pipeline company applied for a certificate in good standing that was required in order to construct a crude oil pipeline. In order to qualify for the certificate, the pipeline company had to show there was a public need for the proposed pipeline, just as the SMP Project's proponents must do here. The pipeline company argued, in part, that public need was demonstrated by commitments from oil refineries who would purchase the crude oil being transported on the proposed pipeline, although those refineries admitted that they could purchase the crude oil from the current pipeline system as well. [17] In rejecting the notion that purchase agreements between the pipeline company and refineries demonstrated public need, the Court of Appeals aptly stated:

> [T]he 'convenience and necessity required to support an order of the commission is that of the public and not any individuals or number of individuals. . . .' **[T]he public is larger than a limited number of market players and the need of a few refiners does not in and of itself establish a public need. A public need . . . cannot be defined as involving only a limited number of private interests**. . . . In the context of public need, it is appropriate to look at the larger group of the general public to see if it requires the service, not whether some components of the public are in fact using the service. Only by looking to the public at large can one determine whether there is an actual existing or expected popular need for the proposed service which should not be denied.[18]

As in the *Lakehead Pipeline* case, Sabal Trail's contracts with certain private interests do not establish public convenience or necessity.

With regard to FERC's third point relating to increases in demand for natural gas, as noted in the expert testimony before the FPSC, Florida is currently in danger of over-relying on natural gas for its electrical generation. Additionally, a comparison of actual gas usage with projections in the Ten Year Plans that FPL has been filing with the FPSC for the past 10 years show that FPL has a long history of significantly over-inflating projected demand for natural gas.

Even assuming that estimates of annual demand growth are accurate, other Florida utilities, such as Gulf Power, have shown that those projected growth rates can be met almost entirely by efficiency programs. Gulf Power's annual savings as recently as 2013 were an impressive .9%. And outside of Florida, the Bonneville Power Administration has been able to meet 50% of its energy growth over a 30 year period since 1980 through energy efficiency measures while serving almost 50% more people than

[17] *Id.*, 296 Ill.App.3d at 955 (emphasis added).
[18] *See* Gulf 2014 Ten-Year Site Plan (April 2014) at 31 (reporting 2013 sales of 10,620 GWh); Gulf FEECA Programs Progress Report (Feb. 2014) at 58 (reporting 2013 energy reduction of 95.32 GWh).

CO25-1 (cont'd)

FPL.[19] There is no reason why FPL cannot do the same, and in so doing avoid the unnecessary damage to the health, safety, environment and property rights of the Affected Parties and multitudes of other properties and property owners in the route of the SMP Project.

2.0 It is Dangerous and Reckless to Put the SMP Pipeline through Karst Terrain containing Significant Sinkholes.

As further discussed below, the prevalence of substantial karst terrain and sinkholes in the path of the proposed SMP Pipeline creates multiple high risks of significant adverse impacts, requiring that an alternative route be chosen that will avoid karst terrain in southwest Georgia and northern/central Florida. At the very least, FERC must require substantial additional investigation and testing, which, based upon findings by FERC for other projects, are mandatory and must be performed along the entire portion of the proposed SMP Pipeline route that traverses karst- and sinkhole-prone areas. Such additional geological studies are not optional, but are mandatory to protect human health and welfare and the environment.

CO25-2

2.1 Pipeline stability and public safety unacceptably at risk due to known sinkholes along the SMP Pipeline route

The proposed SMP Pipeline route through areas of known sinkhole activity and karst formations presents an unacceptable risk to public health and safety. Improper pipeline placement and management also pose unacceptable risks. The likelihood that a sinkhole will occur around, or in proximity to, portions of the SMP Pipeline once installed should be reason enough to mandate relocation of the SMP Pipeline along one of the alternative routes. If the SMP Pipeline is built,, one foreseeable result is the likelihood that property owners will drive or walk into a sinkhole with a gas pipeline exposed. The result will likely be injury or death.

For example, in 1976 two people were killed and 14 were injured because of a gas leak from a main that had been compromised in part by a sinkhole. The gas rose from the pipe through loose soil under a sidewalk in the neighborhood, and it was found that the gas main within the sinkhole had broken into several pieces.[20]

Induced sinkholes can be caused in part by drilling, auguring or coring. This allows water access to previously unavailable avenues for drainage, causing unstable water levels and decreased support for overburden.[21] Karst terrain offers many opportunities for a pipeline to become compromised from new geological trauma created by the actual construction of the SMP Pipeline into an already hostile

[19] *Cf.* http://www.bpa.gov/news/pubs/GeneralPublications/gi-BPA-Facts.pdf *with* FPL's Ten Year Power Plant Site Plan, p. 32; *see also* EPA April 21, 2014 scoping comments at pp. 5-6.

[20] National Transportation Safety Board, Washington, D.C. *UGI Corporation, Natural Gas Explosions and Fires, Allentown, Pennsylvania, August 8, 1976.* By National Transportation Safety Board, Washington, D.C., 1977. Washington, D.C.: National Technical Information Service, 1977.

[21] Catastrophic Subsidence, 25-40.

5

CO25-2 See response to comment FA2-27 and section 3.1.2.3 of the EIS. We strongly disagree that operation of the proposed pipelines in karst areas represents a significant risk to public safety as indicated by the many miles of interstate natural gas transmission pipeline that have operated in karst regions of Georgia and Florida for decades without reported earth movement and considering that the pipelines would be able to span 50 to 140 feet unsupported without potentially compromising pipeline integrity. Furthermore, the Applicants would implement project-specific plans to mitigate karst features encountered during construction and other measures to avoid and reduce the potential to initiate karst features in proximity to the project, and would monitor for and address subsidence during operation of the facilities, further reducing karst risk.

For clarification, we note that the 1976 Allentown, Pennsylvania pipeline rupture involved a 4-inch-diameter, cast iron local distribution pipeline, not an interstate natural gas transmission pipeline of modern design constructed and maintained in accordance with current PHMSA safety standards.

CO25-2 (cont'd)

environment that will, thereby, become dramatically more unstable. The future of sinkhole activity cannot be predicted in a karst environment, which is continually changing both above and below the surface. The SMP Pipeline, if built, by necessity will rest upon uneven rock that can put pressure on the pipe as surrounding soil and sediment erode and continually move over time.[22]

When the length and diameter of the SMP Pipeline is taken into consideration, along with the terrain crossed, stability becomes a concern. The longer the pipeline, the more difficult it becomes to monitor, maintain structural integrity, and safely operate.[23] Although underground pipelines are considered by the U.S. Department of Transportation to be the safest mode to transport natural gas, it is important to take into consideration the subterranean environment surrounding the pipeline. Placing a pipeline in an unpredictable setting such as karst topography is creating a known and dangerous risk. Maintaining the SMP Pipeline, in accordance with the USDOT Minimum Federal Safety Standards, will not protect people and property from unexpected accidents caused by the unstable environment associated with karst terrain.[24]

2.2 Known failures of pipelines in karst and sinkhole areas

Placement of gas pipelines in karst or sinkhole susceptible areas is dangerous. The potential for a sinkhole to form and undermine the support for the pipeline is significant. It is a known risk, and there are cases in which gas pipelines have been relocated because of sinkhole activity.

The Southern Natural Gas 10-inch pipeline from Bessemer, Alabama to Calera, Alabama is an example of how active subsidence can expose the pipeline and threaten its safe operation. Numerous collapses occurred along the pipeline; therefore, an alternate pipeline was routed in an area with less limestone and covered an area containing shallow bedrock. Before this pipeline was rerouted, it was placed in fragile terrain, causing extensive collapse from sinkholes. Attention to the distribution and probability of sinkhole occurrence could have prevented the damage to buried cables, personal property, and highways.[25]

CO25-3

2.3 SMP Project investigation detail inadequate compared to Atlantic Sunrise project

Another proposed gas pipeline project known as Atlantic Sunrise, located in Pennsylvania, is routed through karst and sinkhole terrain. The Atlantic Sunrise EIS contains requirements for a much more detailed geotechnical study and investigation when compared to what was performed for the SMP

[22] Wright, Pam. "Expert Says Karst Topography Involves Dangers for Pipelines," The Courier-Journal, 2015 – 4. Louisville, KY: Gannett, 2015.
[23] Natural Resource Group, Atlantic Coast Pipeline, LLC & Dominion Transmission, Inc., Atlantic Coast Pipeline & Supply Header Projects Docket Nos. PF15-6-000 & PF15-5-000, Responses to Issues Raised During Scoping, Natural Resource Group, 2015 – 105 (Minneapolis, MN: Natural Resource Group, 2015, 105.
[24] Responses to Issues Raised During Scoping, 105.
[25] Lamoreaux, Philip E., J.G. Newton. "Catastrophic Subsidence: An Environmental Hazard, Shelby County, Alabama," Geol. Water Sci. 8, nos. 1 & 2 (1986): 25-40.

6

CO25-3 See the response to comment FA2-27 and sections 3.1 and 3.3 of the EIS which explain that the detailed karst assessment for the SMP Project was informed by literature review, desk top analysis, consultation with state geologic officials, and detailed geotechnical and geophysical studies at HDDs and aboveground facilities in karst areas. The EIS concludes that this assessment was adequate to characterize karst conditions and risk, and develop appropriate construction and mitigation plans in karst areas.

The karst assessments for the SMP Project and the Atlantic Sunrise Project are, in fact, very similar as both involve literature review, desktop studies, and geotechnical/geophysical field investigations. Due to public concern for the SMP Project, we also consulted with the state geologic officials in Florida and Georgia to further understand karst conditions and risks in those states. The two projects also utilized shallow geophysics to a different degree: for Atlantic Sunrise, geophysical data was obtained along the entire proposed route in areas deemed as high karst risk; whereas for the SMP Project, geophysical data was only obtained where HDDs would encounter limestone bedrock, at proposed compressor stations in karst areas, and at karst features selected for more detailed study. However, as noted in the Atlantic Sunrise study, the geophysical information obtained along the proposed route is not a karst risk assessment tool, but rather helps to plan for potential mitigation that may be required during construction. Section 3.1.2.3 of the EIS summarizes the measures that the SMP Project Applicants would implement to mitigate karst features, which are commonly utilized to address karst features in Georgia and Florida. Appendix F includes the detailed karst mitigation plans prepared by the Applicants. The EIS explains the basis for our conclusions that karst conditions have been sufficiently characterized and the potential for the SMP Project to initiate or be affected by damaging karst conditions has been adequately minimized.

CO25-3 (cont'd)

Project.[26] The investigative work, mandated by FERC, on the Pennsylvania project includes a detailed review of aerial photography, ground reconnaissance, LIDAR radar survey of the suspected karst and proper geological mapping of sinkhole vulnerable zones for the **entire proposed route**. An example of this detail can be found in Figures 1-1 and 3-7 of the Atlantic Sunrise EIS document.[27] In contrast, the SMP Project DEIS only reviews 11 representative karst and sinkhole features along over 300 miles of the SMP Pipeline route as evidenced in Table 1 of the Sabal Trail Karst Mitigation Plan. More egregiously, only two sinkhole features along the route in Georgia, out of over 160 known and suspected sinkholes in Georgia, are reviewed in this DEIS; this is arbitrary, capricious and totally unacceptable.

FERC must explain the inconsistency between the level of detailed karst and sinkhole investigation required between the Pennsylvania project and the SMP Project. Because there can be no compelling difference between active karst soils in these two states, the DEIS here must require a similarly detailed analysis for the SMP Project.

For example, approximately 163 miles of the proposed Sabal Trail Pipeline cross nine counties in the state of Georgia. Of these 163 miles where historically documented karst and sinkhole activity exists, geophysical and geotechnical testing was performed at only two locations along this entire route: Milepost 148.7 (Parcel Ga-DO-007) and Milepost 159.8 – 161.3 (Parcel GA-DO-044.004) in Dougherty County.[28] In Dougherty County alone there were 68 known and suspected sinkholes identified in the SMP pipeline corridor.[29] This is dramatically illustrated in the DEIS itself, where a map shows what appears to be the vast majority of the route in Dougherty County being covered with known and suspected sinkholes[30]. Unlike the SMP Pipeline project, Geophysical LIDAR radar **surveys were performed along all identified karst areas** on the Atlantic Sunrise project. Geotechnical testing on the Atlantic Sunrise will be **performed at each area identified by radar as a potential karst feature** ("PKF") location across the 27.8 miles of pipeline route.

The requirement by FERC in the DEIS for any sampling of karst/sinkhole areas shows that there is concern for those areas as being suitable for construction of a natural gas pipeline. There is no rational basis for the DEIS ignoring all of the other sinkhole areas along the proposed SMP Pipeline route. Geological testing and analysis at only two out of 163 locations along the SMP Pipeline Route in Georgia is totally unacceptable.

The DEIS does not, and must, address the following issues:

[26] AECOM, *Transcontinental Gas Pipeline Company LLC Atlantic Sunrise Project Karst Investigation and Mitigation Plan Williams and Wood Group Mustang,* July 27, 2015.
[27] AECOM, pp 56 and 63.
[28] Florida Southeast Connection, LLC, Transcontinental Gas Pipe Line Company, LLC, Sabal Trail Transmission, LLC, *Southeast Market Pipelines Project Draft Environmental Impact Statement, Volume 1*, September 2015, Karst Mitigation Plan Table 1.
[29] DEIS, page H-18-19.
[30] See Exhibit 4.

7

O-268

CO25-3 (cont'd)

- Why does the DEIS require investigations of only two points along the proposed Pipeline route when the proposed Pipeline will have to be buried in extensive karst terrain and sinkholes for many miles?
- How were the two areas selected for investigation by FERC?
- What assurance is there that sinkholes not investigated are not potential problem areas?
- Why is there such a dramatic discrepancy between FERC's requirements in the Atlantic Sunrise EIS and the woefully inadequate investigations of two karst soils/sinkhole areas in the DEIS here?

2.4 Mitigation measures for karst terrain and sinkholes compared to Atlantic Sunrise Inadequate

The Atlantic Sunrise EIS Karst Mitigation Measures (Section 6.1) contains a more complete and thorough set of mitigation measures for the prevention of sinkhole development and for the reinforcement of the pipeline in suspect sinkhole areas. These measures in the Atlantic Sunrise EIS, not required in the DEIS here, include the following three examples:

1. The use of low permeability soil backfill (clay liners) in karst areas to limit surface water infiltration and reduce the likelihood of sinkhole development;
2. The full-time use of a qualified geotechnical engineering firm familiar with mitigation measures for karst features when working in potential karst feature areas; and
3. The use of concrete pipe cradle supports in deep potential karst feature areas.

CO25-4

2.5 Long-term maintenance after construction for future sinkhole development

The construction of the Pipeline through the karst and sinkhole vulnerable areas of Georgia and Florida will be reckless and will likely cause long-term damage to the environment. Sinkholes will continue to develop for years after construction has been completed, many of which could expose the Pipeline in open sinkholes. This poses a serious risk to property owners and the public in general, who may drive a vehicle or tractor into a new sinkhole where the Pipeline is exposed, resulting in an explosion and the possibility of substantial damages to persons and property.

CO25-5

2.6 Inadequate mitigation measures during horizontal drilling operations

The countermeasures plan identified by Sabal Trail in case of the loss of drilling fluids is inadequate. This plan is described in the DEIS Appendix F, Karst Mitigation Plan. It states that in the case of lost circulation materials ("LCMs"), i.e. drilling mud lost in karst fissures or cracks, the countermeasure will be to pump more and/or to use more additives to restore mud circulation. This is very risky because, if the size of the fissure or crack is too large to be sealed with bentonite, then large quantities of groundwater could be contaminated with drilling fluids and additives. Special swelling polymers mentioned as a mitigation measure would be ineffective in larger fissures or cracks, which are common in karst geology.

8

O-269

CO25-4 See the responses to comments FA2-27 and CO25-2.

CO25-5 Again, we disagree with the commentor's opinion that the characterization of karst features and our analysis of potential impacts of the SMP Project on karst activity and related water resources was inadequate. See response to comments CO25-2, CO25-3, and CO25-4, as well as pertinent sections of the EIS which address each of the concerns raised.

CO25-5 (cont'd)

2.6.1 Risk of drilling through fractures beneath rivers which impact rivers and spring hydrology

Part of what makes karst terrain so unstable is the reliance on water to stabilize the ground above it. In areas where large pockets of groundwater have developed, the stability of the area relies mostly upon precipitation and restoration after drought events.[31] Many of these groundwater pockets maintain the supply for springs. If construction of the pipeline resulted in the loss of groundwater in certain areas, foreseeable results of such events include the drying of springs that relied upon the output from groundwater, inevitably impacting the environment surrounding the spring.[32] The majority of the SMP Pipeline path through northern Florida is through areas where the Floridan aquifer is unconfined, with predominant widespread springsheds present. Spills or accidents in these areas will directly impact the Floridan aquifer, a potable water source of enormous importance to the region.

2.6.2 Inadequate plan to monitor nearby wells and springs for turbidity and failure to address other contaminants of concern

If additives have been used in the drilling mud, then the chemicals contained in those additives should also be monitored in the wells and springs. The DEIS plan also assumes that the nearby wells and springs would be representative of impacted groundwater or surface water conditions. The monitoring point should be adjusted on a case by case basis depending on the conditions present in the area where the loss occurs. In the event of a loss of drilling mud, the monitoring plan should be expanded to include the installation of groundwater monitoring wells downgradient from the spill to measure the impacts directly, not simply at the nearest available spring, which could be miles away or not downgradient.

CO25-6

2.7 Long-term maintenance and remediation of sinkholes for life of SMP Project

Sabal Trail does not address the necessity for a requirement of long term maintenance and remediation of sinkholes that may develop in the future after construction of the pipeline. Sabal Trail should be required to monitor sinkhole development along the Pipeline route for the life of the Project and be required to remediate any sinkholes that develop to the satisfaction of the affected property owner.

3.0 FERC's Evaluation of Water Resources is Defective.

The SMP Project traverses 22 major watersheds, including 5 watersheds crossed by the Transco pipeline, 15 by the Sabal Trail Pipeline, and 4 crossed by the FSC pipeline. As the SMP Pipeline traverses through these watersheds, it crosses various surface water resources, including streams and wetlands, resulting in environmental impacts to these water resources. The description of impacts to water resources within these watersheds, as discussed below, demonstrates that the proposed

[31] Catastrophic Subsidence, 25-40.
[32] Karst Terrain Assessment, 31.

CO25-6 As explained in section 3.1.2.3, Sabal Trail would visually monitor the pipeline right-of-way for signs of karst activity and other subsidence and would conduct maintenance and internal inspections in accordance with DOT and PHMSA requirements. Sabal Trail would implement measures to address karst features and would be responsible for project-related damage to nearby property. Importantly, section 3.1.2.3 explains that many miles of interstate natural gas transmission pipelines have operated in karst sensitive areas of Georgia and Florida for decades without incident.

pipeline route will result in significant adverse impacts to numerous waterbodies, including surface water, groundwater, and wetlands. As a result, Sabal Trail's proposed route should be rejected, and an alternative route should be chosen.

3.1 Water Body Crossings

The streams traversed by the SMP Pipeline have various state classifications including public water supply, fishing and wildlife, and recreation designations. Within the DEIS, water bodies are defined based on their width and flow velocity. Based on this classification, a total of 699 water body crossings have been identified. In addition, 68 crossings related to access roads were identified. Also, 11 access roads were identified that would be constructed in close proximity to water bodies.

A total of 26 water bodies crossed by the SMP Pipeline have been further classified by state and federal agencies as either (1) sensitive waters (due to exceptional water quality; presence of sensitive fisheries; close proximity to public drinking water supplies; existence of steep, unstable and actively eroding banks; listing on the National Rivers Inventory; or navigability issues subject to USACE permitting), or (2) listed on the EPA's 303 (d) list of impaired streams due to poor water quality. Of these water bodies, the Sabal Trail portion of the pipeline crosses 16 impaired streams listed on the EPA's 303d list, 8 federally- designated exceptional water bodies, 7 high priority waters, 2 protected river corridors associated with the Chattahoochee and Flint Rivers, and 3 water bodies designated as Outstanding Florida Waters (OFW). Furthermore, the Sabal Trail portion crosses 11 USACE navigable waters that will require Section 10 permits for any activities conducted below Ordinary High Water (OHW).

The water bodies identified above will be crossed by one of four methods: open-cut, dry ditch, horizontal directional drilling (HDD), or conventional bore method. In applying these methods, equipment will be required to enter water bodies for excavation and backfill. During this process, significant land will be disturbed, resulting in the release of sediments into water bodies, particularly during rain events. These sediments will negatively impact both the water quality and the aquatic environment of the water bodies. While the DEIS tries to minimize these impacts and claims they will be limited in scope and occurrence, this is not the case. The nature of construction within water bodies and prior experience indicates that the extent of sedimentation and impacts to water bodies will be more expansive than implied in the document Construction of these crossings will require encroachment and destruction of vegetation within stream buffers. In some areas these buffers will either remain unvegetated or reemerging vegetation would be spotty at best. In such areas, the lack of vegetation will result in continuing erosion and sedimentation problems.

CO25-7

The DEIS also indicates that impacts will be limited if construction is performed during dry periods. Constructing a project of this magnitude, which will take over 5 years to complete, will occur during both dry and wet spells. In fact, as is evident from current weather trends, the likelihood of frequent extreme wet periods during the life of construction of the project is higher than normal. This will result in more frequent periods of erosion, sedimentation, and impacts to water bodies.

CO25-8

CO25-7 See section 3.14.4 for additional information related to the GHG emissions from coal and natural gas, as well as FERC's policy on conducting lifecycle analyses.

CO25-8 As described in section 2.4 of the EIS, construction of most facilities would be completed within about 1 year. Further, the EIS acknowledges that high precipitation events could occur during construction and that the potential for erosion and sedimentation would be minimized as described in response to comment CO25-7. In addition, we note in section 2.5.1 that environmental inspectors would be responsible for ensuring that the contractors comply with their construction plans and would advise the chief construction inspector when conditions (such as wet weather) make it advisable to restrict construction activities.

CO25-9 **3.2 Increased Erosion**

The increases in erosion and sedimentation within the water bodies will result in a degradation of water quality, increased pollutant loads in streams, increased treatment cost for public water supply systems, and a reduction in biodiversity.

CO25-10 A further cause for concern during the construction of crossings is the potential release of gas, oils, and lubricants leaking from construction equipment. Such leaks will result in a degradation of water quality.

CO25-11 A key component missing from the DEIS is any mention of water quality monitoring during construction. Water quality monitoring is a necessary and key requirement that must be included in the DEIS to ensure that sediments are not entering stream channels as a result of construction activity. Turbidity and dissolved oxygen must be included as monitored components at each location during construction.

As part of the construction of the pipeline, approximately 189 million gallons of surface water withdrawals will be required for mixing bentonite for the HDD method, dust control, and hydrostatic testing. Once the hydrostatic tests are completed, the water has to be discharged back into the water bodies.

CO25-12 Withdrawals of surface water of this magnitude will result in an increase in water temperatures, reduction in dissolved oxygen, entrainment of aquatic species, and a reduction in available water for public water supply systems. This will result in increased degradation of water quality, increased water treatment costs, and a reduction in aquatic species.

CO25-13 Upon completion of hydrostatic testing, hydrostatic test water will need to be discharged back into the surface water bodies. The DEIS proposes that discharge be done in vegetated upland areas to allow for settling of suspended solids and use of energy dissipation devices to limit erosion. While some settling of suspended solids will occur, if not entrained within the soil matrix and leaf litter, they will ultimately be transported into nearby water bodies.

CO25-14 **3.3 Impacts to public drinking water supplies due to construction in wellhead protection zones**

The methods used to build such a lengthy pipeline have the potential to negatively impact groundwater flow. Blasting, excavation and sinkhole development and remediation can change the direction and quantity of groundwater in wellhead protection areas. Those effects could impact drinking water, stream water, and moisture conditions within subterranean environments.[33] This is of greatest concern relating to the City of Albany's wellfield, which supplies drinking water to 35,000 residents and will be crossed by the Sabal Trail Pipeline. Even with the use of controlled blasting techniques, risk impacts to drinking water sources are significant when using such methods in an

[33] Responses to issues raised during scoping, 105.

CO25-9 We disagree and conclude that any water quality impacts would be localized, minor, and temporary for the reasons described in section 3.3.2.4 of the EIS.

CO25-10 Section 3.3.2.4 acknowledges that the release of petroleum, oils, or lubricants during construction could impact water quality and copies of the Applicants' measures to minimize the potential for spills and contain and clean up any that do occur are provided in Appendix I of the EIS and summarized in section 2.3.

CO25-11 Section 3.3.3.1 of the EIS has been amended to acknowledge that water quality monitoring may be required as part of each State's NPDES permit for discharges of hydrostatic test water and trench dewatering activities. We conclude that additional monitoring requirements are not warranted.

CO25-12 Section 3.3.3.2 of the EIS acknowledges that water withdrawals could increase water temperatures, reduce dissolved oxygen, and entrain aquatic species, and describes the measures that would be implemented to minimize these impacts. In addition, Section 3.3.3.1 explains that each state regulates water use in part to ensure any uses are compatible with other existing uses, such as public water supplies.

CO25-13 See response to comment CO25-11.

CO25-14 Section 3.3.1.7 includes a detailed discussion of the Albany well field and explains that construction and operation of the Sabal Trail Mainline would not pose a significant risk to the well field or groundwater primarily because the pipeline would be installed in a shallow trench without the aid of blasting (the underlying deposits are unconsolidated) and would convey natural gas, not a liquid product. The EIS also notes that the City of Albany elected to place the well field where two pipelines that are at least 30 years old converge, and that the existing pipelines are not identified as a potential concern in the City of Albany Wellhead Protection Plan. Furthermore, none of the comments received from the City of Albany have expressed any issues with the well field due to the existing pipelines.

CO25-14 (cont'd) already unstable environment such as karst terrain. In the previous comment above regarding pipeline stability and public safety, it was mentioned that the simple acts of drilling or coring present avenues for water to escape and threaten underground stability.[34] Because blasting is harder to control, it is difficult to guarantee that groundwater contained within estuaries would not potentially escape through widened fissures or cracks from blasting, thus destabilizing the subterranean environment surrounding the pipeline. FERC should not allow the construction of the pipeline through these wellhead protection areas.

CO25-15 **3.4 Impact of construction across water bodies on threatened and endangered species**

Given the high risk of catastrophic pipeline failure, there is an equally high risk of significant adverse impacts on threatened, endangered, and rare species. Although measures for minimizing and mitigating impacts may be taken, it is difficult to guarantee that designated critical habitat or specific endangered species will not be adversely affected. When determining the route of this pipeline, a failure or sinkhole incident would very likely jeopardize the continued existence of threatened/endangered species or related habitat.

Section 7 of the Endangered Species Act requires federal agencies to verify that an agency's actions will do none of the above. Since this cannot be accomplished in the face of substantial risk of pipeline failure, an alternative pipeline route should be chosen that will avoid significant adverse impacts to threatened, endangered, and rare species.

CO25-16 **3.5 Contamination of drinking water supplies by use of drilling mud during horizontal drilling (HDD), potentially containing chemicals with adverse health effects**

The HDD process includes the use of drilling mud to cool and lubricate the cutter as it drills underneath the rivers and other sensitive areas. In the DEIS and DEIS' Appendix containing the Karst Mitigation Plan, Sabal Trail acknowledges the significant risk of drilling mud impacting groundwater aquifers. The documents state that the loss of drilling fluid through open conduits and inadvertent drill fluid returns may lead to turbidity in nearby wells, springs and rivers. The DEIS fails to point out that the turbidity could also contain potentially hazardous chemicals.

Sabal Trail proposes to use drilling mud that contains 95% water and bentonite mixture. However, Sabal Trail does not identify what the other 5% of the drilling mud will contain. It is understood that drilling mud or fluids represent a health risk.[35] The risk of adverse health effects from drilling fluids is determined by the hazardous components of the fluids and by exposure to humans. Additives that may be used to comprise the other 5% of drilling mud may include chemicals such as PAHs

[34] Catastrophic Subsidence, 25-40.

[35] Drilling Fluids Task Force, International Association of Oil & Gas Producers (OGP) / International Petroleum Industry Environmental Conservation Association (IPIECA) Health Committee, *Drilling Fluids and Health Risk Management: A Guide for Drilling Personnel, Managers and Health Professionals in the Oil and Gas Industry*, Drilling Fluids Task Force 2009 – 60. London, United Kingdom: IPIECA/OGP, 2009.

CO25-15 The EIS assesses the potential adverse impacts that could results from construction and operation of the pipeline facilities.

CO25-16 As indicated in the first sentence of the guidance document referenced by the commentor, the document pertains to drilling fluids used in the construction of oil and gas wells, not the HDD drilling method commonly used to install pipelines beneath sensitive environmental resources. Section 3.3.1.7 explains that, in addition to bentonite and water, Sabal Trail could use various additives during the HDD process. Sabal Trail would review the potential list of additives for compliance with NSF Standard 60 and other applicable state and federal agencies, and would provide the final list of potential additives to the Commission prior to construction. The HDD method is often favored by environmental resource agencies as a means to avoid or reduce impacts on sensitive resources including waterbodies, wetlands, and special species habitat.

CO25-16 (cont'd) (polynuclear aromatic hydrocarbons) and benzene, which are known carcinogens as well as n-hexane and toluene.[36] Other additives may include calcium chloride, a known irritant, and zinc bromide, which is a corrosive.

The use of these chemicals in the HDD operations with the risk of encountering large cracks and fissures in the karst environment has the potential to pollute the Floridan aquifer. The Floridan aquifer is one of the most prolific and heavily used aquifer systems in the world, as stated in the DEIS. Sabal Trail's use of HDD as a construction method through karst terrain is reckless, and FERC should not permit it.

3.6 Wetlands

The construction of the SMP Pipeline will result in impacts to a total of 940.2 acres of wetlands of which 107.6 acres are in Alabama, 134.3 acres are in Georgia, and 698.3 acres are in Florida. Of these wetland impacts, a total of 233 acres, including 214.2 acres of mature Palustrine forested wetlands, will be permanently impacted. Impacts to wetlands will include discharge of sediments into the wetlands resulting in a loss of biological activity in the wetlands and alteration of existing land

CO25-17 topography in the vicinity of the wetlands. These results likely will lead to a permanent change in the hydrology of the wetlands, which would result in their permanent loss. Thus, the estimates of permanent losses provided in the DEIS are just estimates and likely would be exceeded, thereby resulting in significant impacts not properly accounted for in the DEIS.

In general, the mitigation measures provided in the DEIS envision that the impacted wetlands will transition back to a vegetative state similar to wetlands. However, this implies that destroyed mature wetlands will be replaced by younger wetland groups, *i.e.*, stands of forested wetlands containing mature tree species 20 years or older will be replaced by pre-emergent wetlands. Based on estimates in the DEIS, mature forested wetlands stands will only return 30 years after completion of the SMP Project, *i.e.*, in 2047 or later. During this process, there is no guarantee that the pre-construction vegetation diversity and density, habitat, or functionality of the wetlands will ever be restored. In fact, it is likely that these will be lost forever, particularly when one considers that wetlands are largely dependent on soil type and function. During construction, excavation, compaction, and grading will completely alter many of the existing soil types and function, likely resulting in conditions that are unfavorable to wetland formation or sustainability.

Based on the above, FERC has improperly discounted the significant effects that the SMP Project will have on hundreds of acres of extremely valuable wetlands, many of which will be lost forever or during several lifetimes at a minimum.

Additionally, the mitigation measures included in the DEIS are only general as the final mitigation plans have not yet been submitted or reviewed. This is a significant defect and omission in the DEIS, making

[36] Drilling Fluids and Health Risk Management, 60.

CO25-17 In regard to wetland hydrology, see response to LA6-2. All wetland impacts have been acknowledged in section 3.4.2.2 of the EIS and would be mitigated to less than significant levels. In addition, we acknowledge that the USACE would require additional mitigation for unavoidable impacts and loss of wetland functions, and have recommended in sections 3.4.3 and 5.2 that the Applicant's file documentation of final wetland mitigation plans, and USACE approval of the plans, prior to construction.

CO25-17 (cont'd) its approval impossible at this time. Such approval, notwithstanding other defects in the DEIS, would be defective on its face.

CO25-18 **4.0 FERC Fails to Properly Consider the Air Impacts of the Proposed Pipeline.**

According to the Clean Air Act ("CAA"), major new sources of air pollution that cause or contribute to any violation of the National Ambient Air Quality Standards ("NAAQS") are prohibited. Georgia has enacted regulations providing that any source, which includes new minor sources such as the proposed Albany Compressor Station ("Station"), must comply with all provisions of the CAA, which includes the prohibition against causing or contributing to a violation of the NAAQS.[37]

FERC summarily dismisses air pollution concerns on the ground that the Station would not violate the NAAQS. FERC's conclusion erroneously assumes that the absence of a NAAQS violation is determinative and that, in any event, no NAAQS violation has been shown in this case.

First, FERC's conclusion of no significant impact is based on the false premise that air pollution is of no concern so long as there is not a NAAQS violation. Simply because there is not a NAAQS violation does not mean that the tons of pollutants that most certainly would be emitted by the Station are of no concern.

The Station will belch tons of pollutants each year for decades to come, including 187,499 tons per year ("tpy") of carbon dioxide equivalents (CO_2e), 57 tpy of volatile organic compounds (VOCs), 46 tpy of nitrogen oxides (NO_x), 40 tpy of carbon monoxide (CO), and 6 tpy of hazardous air pollutants (HAPs).[38] NO_x and VOCs are proven to harm respiratory, cardio logical, neurological, and kidney functions and can cause premature death. Even small levels of NO_x can cause nausea, irritated eyes and nasal passages, fluid in the lungs, and shortness of breath. Higher levels of NO_x and VOCs can cause burning spasms, throat swelling, reduced oxygen intake, lung damage, dizziness, nausea, fatigue, nosebleeds, and cancer.[39] Furthermore, NO_x is a major contributor to the formation of fine particulate matter ("PM") and ozone. Fine PM is linked to increased heart attacks, aggravated asthma, decreased lung function, and premature death for people with heart or lung disease.[40] Ozone can cause coughing, chest pain, and throat irritation as well as exacerbating bronchitis, emphysema, and asthma.[41] For more information, refer to the Southwest Pennsylvania Environmental Health Project's Compressor Station Health Impact Study.[42]

[37] Ga. Comp. R. & Regs. 391-3-1-.03(1) and (2).
[38] *See* Sabal Trail's Application to the Georgia Environmental Protection Division at p. 1-4.
[39] *See, e.g.,* http://www.epa.gov/air/nitrogenoxides/health.html (last visited August 5, 2015); http://www.epa.gov/iaq/voc.html (last visited August 5, 2015).
[40] U.S. EPA, *Particulate Matter (PM), available at:* http://www.epa.gov/pm/health.html.
[41] U.S. EPA Ozone Brochure.
[42] *See* Exhibit 5.

CO25-18 Ambient air monitoring in the region do not show any exceedances of the NO_2 NAAQS. As such, the use of a "significance" threshold was deemed reasonable in review and assessment of the commentor's modeling analysis.

The noise levels used for assessing the noise impacts from the Sabal Trail compressor stations are based on noise surveys that measured noise at night and during the day. These noise measurements are considered representative of existing noise levels. It should also be noted that the FERC 55 dBA L_{dn} noise guideline applies to the noise attributable to the compressor station (regardless of existing noise levels).

CO25-18 (cont'd)

The NAAQS is not based solely on science or potential adverse health effects. Instead, it factors in political considerations regarding how much pollution should be allowed. The analysis under NEPA, however, should be based on science and the real effects of pollution, rather than being based upon assumptions lacking in factual support or speculation as in the DEIS. Under NEPA, FERC has a responsibility to fully and independently assess the environmental and human health impacts of the Station. It cannot simply rely on the purported lack of a NAAQS violation, when the Station is not operational, as regulated by the EPA or the Georgia Environmental Protection Division.[43] The issuance of a permit only provides that a polluting source has met a "minimum condition"; it does not establish that a project will have no significant impact under NEPA.[44]

Second, air modeling performed by Affected Parties' expert, Khanh Tran, shows that air pollution in the area near the proposed Albany Compressor Station already exceeds NAAQS and that the compressor station would contribute further to exceeding NAAQS. [*See* "AERMOD Modeling of NO_2 Impacts of Proposed Albany Compressor Station (New Site)" by Khanh T. Tran/AMI Environmental, August 2, 2015 filed with FERC on August 13, 2015.] ("Tran Report".) FERC dismissed the Tran Report solely on the ground that the NO_2 exceedances he found were below what FERC describes as a one-hour significance level of 7.5 ug/m^3 ("SIL" or "significant impact level" as it is more typically called). FERC cites no source or authority for its supposed 7.5 ug/m^3 SIL standard. FERC's "source," however, is an EPA Guidance Manual that has no legally binding effect because it has never been promulgated as a formal regulation after notice and an opportunity for comment as required by the federal Administrative Procedures Act.

In *Sierra Club v. EPA*, 705 F.3d 458, 469 (D.C. Cir. 2013), the D.C. Circuit Court of Appeals found that the EPA has no authority under the CAA to establish a SIL such as the one at issue here.[45] The Court so ruled because the CAA clearly states that no new source of pollution may cause or contribute to a violation of NAAQS, no matter how low the contribution to a violation may be. There is no provision in the CAA that requires a NAAQS violation to be "significant." If an emission limit under NAAQS is exceeded, it is a violation – period.

The Tran Report's finding of NAAQS exceedances at the currently proposed Station location stands unrebutted.[46] Given the tons of harmful pollutants that the Albany Compressor Station would emit, FERC must give serious consideration to impacts from those emissions including the NO_2 emissions that will further contribute to a violation of NAAQS.

In addition to producing harmful air pollutants, the Station will also be a source of noise and vibration around the clock. FERC failed to properly investigate this issue. Specifically, ambient noise was only

[43] *See, e.g., Idaho v. Interstate Commerce Comm'n*, 35 F.3d 585, 595-96 (D.C. Cir. 1994) (holding that an agency fails to take a required "hard look" when it "defers to the scrutiny of others").
[44] *Calvert Cliff's Coordinating Comm. v. U.S. Atomic Energy Comm'n*, 449 F.2d 1109, 1123 (D.C. Cir. 1971).
[45] In *Sierra Club*, the pollutant at issue was $PM_{2.5}$.
[46] Although Sabal Trail performed some modeling at the originally proposed Newton Road Compressor Station location, it has performed no modeling at the currently proposed West Oakridge Compressor Station Location. Moreover, Sabal Trail's modeling at the former location used an outdated modeling program which is no longer EPA's preferred program.

CO25-18 (cont'd) measured in the morning when noise levels are lower and not at night in the winter, thus resulting in a smaller increase in noise level over the ambient level produced by the Station.[47] Because the nearest home is only 1,640 feet away, the potential for constant daytime and especially nighttime disruption is unacceptable. In addition, FERC is basing its noise analysis on an EPA study and guidelines from 1974, and the scientific understanding of the impacts of noise and vibration have been developed extensively since that time.

5.0 FERC Fails to Properly Evaluate Public Safety Issues.

5.1 Pipeline failure incidents more common

CO25-19 Gas pipelines are far from foolproof and represent a significant risk of fire and explosion. Accidents involving pipelines do occur, resulting in fires and explosions, often with deadly results. Most of the areas crossed by the SMP Pipeline route are protected only by volunteer fire departments, which may easily go out of business and which are under staffed and under-equipped to address a pipeline fire that would result from a 36-inch high pressure natural gas pipeline fire.

CO25-20 Trend data from the Pipeline and Hazardous Materials Safety Administration demonstrates that onshore natural gas pipeline incidents (defined as an incident resulting in a fatality, injury, $50,000+ in property damage, or the loss of 3 million cubic feet of gas) are common and increasing in frequency.

[continued on following page]

[47] DEIS, P. 3-258.

CO25-19 See responses to comments CO6-7 and CO6-19.

CO25-20 We disagree. The data provided by the commenter presents the information for "All Reported" incidents. Our analysis in section 3.13.2 discusses significant incidents, which PHMSA defines as those resulting in fatality or injury requiring in-patient hospitalization; or $50,000 or more in total costs, measured in 1984 dollars. The data from PHMSA does not show that significant incidents are increasing in frequency.

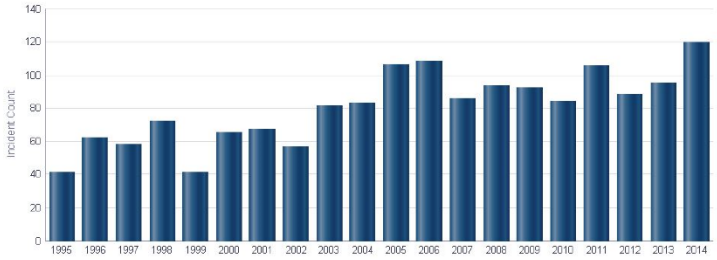
CO25-20 (cont'd)

The table and chart below show the upward trend in gas pipeline incidents since 1995.
http://www.phmsa.dot.gov/pipeline/library/data-stats/pipelineincidenttrends

PHMSA Pipeline Incidents: (1995-2014)
Incident Type: All Reported **System Type:** GAS TRANSMISSION **State:** ALL **Offshore Flag:** ONSHORE

Calendar Year	Number	Fatalities	Injuries	Property Damage As Reported
1995	41	0	7	6,818,250
1996	62	1	5	10,947,086
1997	58	1	5	10,056,885
1998	72	1	11	34,165,324
1999	41	2	8	14,726,834
2000	65	15	16	15,206,371
2001	67	2	5	12,095,165
2002	57	1	4	15,879,093
2003	81	1	8	45,456,172
2004	83	0	2	10,697,343
2005	106	0	5	190,703,949
2006	108	3	3	31,383,314
2007	86	2	7	43,176,634
2008	93	0	5	111,977,088
2009	92	0	11	43,988,350
2010	84	10	61	399,994,584
2011	105	0	1	109,224,929
2012	88	0	7	48,810,357
2013	95	0	2	43,711,534
2014	119	1	1	43,703,456
Grand Total	**1,603**	**40**	**174**	**1,242,722,718**

PHMSA Pipeline Incidents: Count (1995-2014)
Incident Type: All Reported **System Type:** GAS TRANSMISSION **State:** ALL **Offshore Flag:** ONSHORE

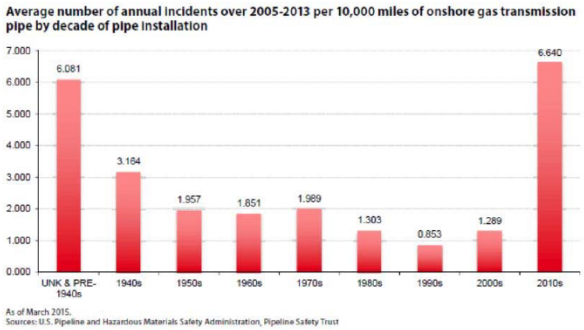


17

CO25-21

5.2 Newer pipelines failing more frequently than older pipelines

Even more troubling than the increase in pipeline accidents overall, a new study by the Pipeline Safety Trust found that newer pipelines are failing at a higher rate than much older pipelines. A disturbingly large proportion of pipeline failures in the past decade have occurred in newly-installed pipelines, as shown by the below chart:



Thus, FERC is wrong when it says on page 3-277 of the DEIS that "the frequency of significant incidents is strongly dependent on pipeline age. Older pipelines have a higher frequency of corrosion incidents because corrosion is a time-dependent process." FERC cites a 1986 study for this assertion, which is clearly outdated. The recent analysis depicted in the above chart shows the exact opposite to be a correct conclusion, as more thoroughly explained below:

> "Gas transmission lines installed in the 2010s had an annual average incident rate of 6.64 per 10,000 miles over the time frame considered, even exceeding that of the pre-1940s pipes. Those installed prior to 1940 or at unknown dates had an incident rate of 6.08 per 10,000 miles.
>
> "If it's brand new, if it's all new materials, if everybody was doing their job correctly, why would we have an uptick in … failures?" Miller, who is also the Arizona Corporation Commission's pipeline safety section supervisor, said. "You can only attribute that, in my personal opinion, to poor construction practices or maybe not enough quality control, quality assurance programs out there to catch these problems before those pipelines go into service."
>
> For instance, the National Transportation Safety Board in June found that poor pipe fusion in 2011 contributed to a March 2014 Harlem gas explosion that leveled two

18

CO25-21 The data presented in section 3.13 specifically refers to interstate natural gas transmission pipelines, which is the type proposed by the SMP Project. The data does not include gas distribution or gas gathering pipelines, or other hazardous materials pipeline. Regardless, the data presented in section 3.13.2 accurately describes the potential impacts associated with the transportation of natural gas by pipeline, and the safety measures that are required by the DOT that would be implemented by the Applicants to reduce the potential for incidents.

CO25-21 (cont'd)

buildings on Park Avenue, killed eight people, injured at least 50 others and resulted in the evacuations of 100 families.

Examining the relevant plastic joint post-accident, NTSB staff found that 60% of the bond had been incompletely fused, indicating a weld defect and weak bond strength, which prevented the high-density polyethylene pipe from withstanding underground shifting. However, at the time, the board did not express concerns that other, similar fusions are pervasive." [48]

Richard Miller, Chairman of the National Association of Pipeline Safety Representatives, has stated that these failures are due to poor construction practices and insufficient quality control.[49] The failure of newly installed pipelines has also been attributed to the rapid pace of pipeline construction. The combination of a high failure rate for new pipelines and sinkhole-riddled terrain throughout the majority of the SMP Pipeline route makes the SMP Project simply too risky, and FERC's dismissal of these concerns is arbitrary and capricious.

CO25-22

5.3 Spectra's terrible safety record

FERC states that "[w]e received comments regarding the safety history on Transco's and Sabal Trail's existing pipeline systems. . . . Although this information is not relevant to the scope of the . . . Sabal Trail Project, Transco and Sabal Trail provided a summary of the incidents. . . ."[50]

How can FERC believe that Sabal Trail's and Transco's track records are irrelevant? Such records of multiple explosions and losses of life are extremely relevant to predicting the potential impacts on the physical and human environment and public health and safety from the SMP Project. It is not only arbitrary and capricious for FERC to fail to consider that information, but saying it doesn't care about the record of explosions calls into question the integrity of FERC's role as the oversight agency for new federal pipeline projects. Spectra's (the majority owner and operator of Sabal Trail) and Transco's safety records are terrible: since 2006, Spectra has had 26 incidents with $12.5M worth of damages, while Transco has had 50 incidents with nearly $44M worth of damages[51] (Source: PHMSA website), not including an explosion at a compressor station in Louisiana on October 8, 2015 that killed three workers. [52]

Given Spectra's and Transco's horrible safety records, if FERC approves the SMP Project and it is ultimately constructed, FERC must require the following:

1. Weekly, or at a minimum, monthly inspections of the pipeline and its integrity;

[48] "***As US rushes to build gas lines, failure rate of new pipes has spiked,*" SNL, Sept. 9, 2015.**
[49] *Id.*
[50] DEIS at 3-278.
[51] PHMSA website.
[52] "*3 Dead After Louisiana Gas Plant Explosion,*" CNN.com, October 8, 2015.

CO25-22 See the response to comment CO17-3.

CO25-22 (cont'd)

2. Quarterly leak surveys; and
3. Conspicuous public disclosure of pipeline and compressor station explosion radius for the entire route of the pipeline.

5.4 Recent Pipeline Accidents

A sampling of recent pipeline accidents include the following:[53]

- WILLIAMS GAS PIPELINE - TRANSCO; GIBSON, LA; Transco Pipeline Compressor Station, Gibson, Louisiana; 10/8/2015; 3 dead; 2 seriously injured
- SPECTRA ENERGY; LITTLE ROCK, ARK; Pipeline explosion resulting from collapse of pipeline under Arkansas River releases 3.9 cubic feet of natural gas.[54]
- COLUMBIA GULF TRANSMISSION, LLC; CHARLESTON, WV; 07/26/2015; Estimated Cost of Property Damage: $1,100,000
- ANR PIPELINE CO; HOUSTON, TX; 06/29/2015; Estimated Cost of Property Damage: $2,200,000
- PACIFIC GAS & ELECTRIC CO; SAN RAMON, CA; 04/17/2015; Estimated Cost of Property Damage: $1,500,000; 1 Fatality; 11 Injuries
- ROCKIES EXPRESS PIPELINE LLC; LAKEWOOD, CO; 01/29/2015; Estimated Cost of Property Damage: $900,000
- PANHANDLE EASTERN PIPELINE CO; SAN ANTONIO, TX; 10/13/2014; Estimated Cost of Property Damage: $628,509
- LOUISVILLE GAS & ELECTRIC CO; LOUISVILLE, KY; 09/17/2014; Estimated Cost of Property Damage: $262,000; 1 Injury
- ANR PIPELINE CO; HOUSTON, TX; 09/16/2014; Estimated Cost of Property Damage: $3,000,000
- PAA NATURAL GAS STORAGE, LLC; HOUSTON, TX; 06/03/2014; Estimated Cost of Property Damage: $250,000
- WTG GAS TRANSMISSION COMPANY; MIDLAND, TX; 06/01/2014; Estimated Cost of Property Damage: $1,400; 1 Fatality
- SOUTHERN STAR CENTRAL GAS PIPELINE, INC; OWENSBORO, KY; 05/19/2014; Estimated Cost of Property Damage: $151,000
- NORTHERN NATURAL GAS CO; OMAHA, NE; 04/27/2014; Estimated Cost of Property Damage: $7,700
- CENTERPOINT ENERGY RESOURCES CORP., DBA CENTERPOINT ENERGY MINNESOTA GAS; HOUSTON, TX; 03/02/2014; Estimated Cost of Property Damage: $300,000
- CONSUMERS ENERGY CO; JACKSON, MI; 03/15/2014; Estimated Cost of Property Damage: $0
- ENLINK LIG, LLC; DALLAS, TX; 03/13/2014; Estimated Cost of Property Damage: $0
- COLUMBIA GULF TRANSMISSION CO; CHARLESTON, WV; 02/13/2014; Estimated Cost of Property Damage: $492,056

[53] *See* http://www.phmsa.dot.gov/pipeline/library/data-stats/pipelineincidenttrends
[54] For a photograph, *see* Exhibit 6.

CO25-22 (cont'd)

- PUBLIC SERVICE CO OF NORTH CAROLINA; GASTONIA, NC; 01/10/2014; Estimated Cost of Property Damage: $235,193
- ONEOK GAS TRANSPORTATION, LLC; TULSA, OK; 01/06/2014; Estimated Cost of Property Damage: $180,000
- ANR PIPELINE CO; HOUSTON, TX; 12/02/2013; Estimated Cost of Property Damage: $255,000
- PANHANDLE EASTERN PIPELINE CO; SAN ANTONIO, TX; 11/28/2013; Estimated Cost of Property Damage: $929,500
- MARSHALL COUNTY GAS DISTRICT; GUNTERSVILLE, AL; 08/09/2013; Estimated Cost of Property Damage: $12,000
- DCP MIDSTREAM; DENVER, CO; 08/09/2013; Estimated Cost of Property Damage: $97,000
- FLORIDA GAS TRANSMISSION CO; SAN ANTONIO, TX; 06/18/2013; Estimated Cost of Property Damage: $2,199,000; 2 Injuries
- WEST TEXAS GAS INC; MIDLAND, TX; 05/31/2013; Estimated Cost of Property Damage: $3,886
- DTE GAS COMPANY; DETROIT, MI; 05/21/2013; Estimated Cost of Property Damage: $119,000
- NORTHERN NATURAL GAS CO; OMAHA, NE; 04/23/2013; Estimated Cost of Property Damage: $58,994
- GAS TRANSMISSION NORTHWEST LLC; HOUSTON, TX; 03/14/2013; Estimated Cost of Property Damage: $313,000
- SOUTHERN CALIFORNIA GAS CO; LOS ANGELES, CA; 01/06/2013; Estimated Cost of Property Damage: $650,000
- FLORIDA GAS TRANSMISSION CO; SAN ANTONIO, TX; 12/13/2012; Estimated Cost of Property Damage: $483,900
- COLUMBIA GAS TRANSMISSION CORP; CHARLESTON, WV; 12/11/2012; Estimated Cost of Property Damage: $410,000
- WTG GAS TRANSMISSION COMPANY; MIDLAND, TX; 12/05/2012; Estimated Cost of Property Damage: $10,000
- COLUMBIA GAS TRANSMISSION CORP; CHARLESTON, WV; 08/25/2012; Estimated Cost of Property Damage: $45,000; 4 Injuries
- PIEDMONT NATURAL GAS CO INC; CHARLOTTE, NC; 08/02/2012; Estimated Cost of Property Damage: $79,416
- NORTHERN NATURAL GAS CO; OMAHA, NE; 08/07/2012; Estimated Cost of Property Damage: $113,580
- SAN DIEGO GAS & ELECTRIC CO; SAN DIEGO, CA; 05/23/2012; Estimated Cost of Property Damage: $36,000
- MIDAMERICAN ENERGY COMPANY; DES MOINES, IA; 04/27/2012; Estimated Cost of Property Damage: $135,560
- NORTHERN NATURAL GAS CO; OMAHA, NE; 04/25/2012; Estimated Cost of Property Damage: $218,190; 2 Injuries
- TEXAS EASTERN TRANSMISSION LP (SPECTRA ENERGY CORP); HOUSTON, TX; 04/13/2012; Estimated Cost of Property Damage: $250,000; 1 Injury
- COLUMBIA GULF TRANSMISSION CO; CHARLESTON, WV; 01/02/2012; Estimated Cost of Property Damage: $902,000

CO25-22 (cont'd)

- WILLIAMS GAS PIPELINE - TRANSCO; HOUSTON, TX; 12/03/2011; Estimated Cost of Property Damage: $6,961,000
- TENNESSEE GAS PIPELINE CO (EL PASO); HOUSTON, TX; 11/16/2011; Estimated Cost of Property Damage: $400,000
- FLORIDA GAS TRANSMISSION CO; SAN ANTONIO, TX; 10/20/2011; Estimated Cost of Property Damage: $0
- NATURAL GAS PIPELINE CO OF AMERICA (KMI); HOUSTON, TX; 08/16/2011; Estimated Cost of Property Damage: $1,318,206; 1 Injury
- TENNESSEE GAS PIPELINE CO (EL PASO); HOUSTON, TX; 03/14/2011; Estimated Cost of Property Damage: $100,000
- COLORADO INTERSTATE GAS CO; HOUSTON, TX; 12/12/2010; Estimated Cost of Property Damage: $1,667,682
- WILLISTON BASIN INTERSTATE PIPELINE CO; BISMARCK, ND; 12/10/2010; Estimated Cost of Property Damage: $5,112
- NORTHERN ILLINOIS GAS CO; AURORA, IL; 11/22/2010; Estimated Cost of Property Damage: $1,800,000
- WILLISTON BASIN INTERSTATE PIPELINE CO; BISMARCK, ND; 11/08/2010; Estimated Cost of Property Damage: $22,099; 1 Fatality
- CROSSTEX NORTH TEXAS PIPELINE, L.P.; DALLAS, TX; 05/25/2010; Estimated Cost of Property Damage: $2,000; 1 Injury
- WILLIAMS GAS PIPELINE - TRANSCO; HOUSTON, TX; 10/19/2010; Estimated Cost of Property Damage: $350,000
- PACIFIC GAS & ELECTRIC CO; SAN RAMON, CA; 09/09/2010; Estimated Cost of Property Damage: $100,000; 8 Fatalities; 51 Injuries
- KINDER MORGAN TEXAS PIPELINE CO; HOUSTON, TX; 09/17/2010; Estimated Cost of Property Damage: $100; 1 Injury
- ENERGY TRANSFER COMPANY; SAN ANTONIO, TX; 07/28/2010; Estimated Cost of Property Damage: $822,854
- ENTERPRISE PRODUCTS OPERATING LLC; HOUSTON, TX; 06/07/2010; Estimated Cost of Property Damage: $287,578; 1 Fatality; 7 Injuries
- ENOGEX LLC; OKLAHOMA CITY, OK; 04/14/2010; Estimated Cost of Property Damage: $0; 1 Injury

- Belgium
  - 2004: A major natural gas pipeline exploded in Ghislenghien, Belgium near Ath (thirty kilometers southwest of Brussels), killing at least 23 people and leaving 122 wounded, some critically on July 30, 2004.
- Nigeria
  - 1998: At Jesse, Nigeria in the Niger Delta in Nigeria, a petroleum pipeline exploded killing about 1200 villagers, some of whom were scavenging gasoline. The worst of several similar incidents in this country. (October 17, 1998)

22

CO25-22 (cont'd)

- 2006: An oil pipeline ruptured outside Lagos, Nigeria. More than 150 people may have been killed.[1] (May 12, 2006)
- 2006: A vandalized oil pipeline exploded in Lagos, Nigeria. Up to 500 people may have been killed.[2] (December 26, 2006)

- Russia
  - 1989: Sparks from two passing trains detonated gas leaking from an LPG pipeline near Ufa, Russia. Up to 645 people were reported killed on June 4, 1989.

- United States
  - 1965: Gas Transmission Pipeline. North of Natchitoches, LA. Tennessee Gas Pipeline Company explodes from stress corrosion cracking, killing 17 people. This accident lead to then President Johnson to call for the formation of a national pipeline safety agency. (March 4, 1965)
  - 1968: Ruptured LPG Pipeline. Near Yutan, Nebraska. Repair crews responded to a pipeline rupture, thought vapors were dispersed, but ignited the vapor cloud by driving into it. Five repairmen were killed. (December 5, 1968)
  - 1969: Low Pressure Natural Gas Distribution System, Gary, Indiana. (June 3, 1969)
  - 1969: High Pressure Natural Gas Pipeline, near Houston, Texas. (September 9, 1969)
  - 1970: Colonial Pipeline Company, Petroleum Products Pipeline, Jacksonville, Maryland. (September 3, 1970)
  - 1970: Propane Gas Pipeline rupture. Phillips Pipeline Company propane gas explosion, Franklin County, Missouri. Leak lead to propane cloud explosion with a force of several tons of TNT. (December 9, 1970)
  - 1972: Rupture of Propane Pipeline, near Butler, Alabama. A backhoe being used to clean out a road side ditch hit a high pressure propane pipeline. A while after the line was ruptured, a car drove into the vapor cloud, igniting it, and killing 4 people. (June 20, 1972)
  - 1973: Natural Gas Liquids Pipeline rupture, Austin, Texas. A Natural Gas Liquids (NGL) pipeline ruptured due to an improper weld. Six people killed. (February 22, 1973)
  - 1975: NGL Pipeline rupture. An NGL pipeline ruptured due to previous mechanical damage at Devers, Texas. Four killed in vapor cloud fire. (May 12, 1975)
  - 1976: LPG Pipeline rupture. An LPG line ruptured near Romulus, Michigan, due to previous mechanical damage to the pipeline and over-pressurization from operator error at a storage facility. Nine people were injured in the vapor cloud fire. (August 2, 1975)
  - 1977 LPG Pipeline rupture. A LPG pipeline ruptured near Ruff Creek, Pennsylvania from stress corrosion cracking. The resulting propane vapor cloud ignited when a truck driven into the cloud stalled, then created a spark when it was restarted. (July 20, 1977)
  - 1978 LPG Pipeline rupture. An LPG pipeline at Donnellson, Iowa ruptured from past mechanical damage and improper lower for road improvements. The vapor cloud ignited several minutes after the rupture. Three people were killed. (August 4, 1978)

23

CO25-22 (cont'd)

- 1989 Pipeline failure after the San Bernardino train disaster.
- 1994 Texas Eastern Transmission Corporation Natural Gas Pipeline Explosion and Fire Edison, New Jersey. (March 23, 1994)
- 1997 Pipeline Rupture and Fire, Indianapolis, Indiana. (July 21, 1997)
- 1998 Natural Gas Explosion and Fire, South Riding, Virginia. (July 7, 1998)
- 1998 Natural Gas Pipeline Rupture and Subsequent Explosion, St. Cloud, Minnesota. (December 11, 1998)
- 1999 Natural Gas Explosion and Fire at a gas pressure station, Wytheville, Virginia, destroying a home and motorcycle store.[3] (January 3, 1999)
- 1999 Natural Gas Service Line and Rupture and Subsequent Explosion and Fire, Bridgeport, Alabama. (January 22, 1999)
- 1999 Pipeline in a Bellingham, Washington park leaked gasoline, vapor from leak exploded and killed 2 children and a 18 year old young man. (June 10, 1999)
- 2000 Hazardous Liquid Pipe Failure and Leak, Explorer Pipeline Company, Greenville, Texas. (March 9, 2000)
- 2000 Natural Gas Pipeline Rupture and Fire near Carlsbad, New Mexico. This explosion killed 12 members of the same family. Cause was due to severe internal corrosion of the pipeline. (August 19, 2000)
- 2000 Rupture of Piney Point Oil Pipeline and Release of Fuel Oil Near Chalk Point, Maryland. (April 7, 2000)
- 2002 Rupture of Enbridge Pipeline and Release of Crude Oil near Cohasset, Minnesota. (July 4, 2002)
- 2003 Excavation damage to natural gas distribution line resulting in explosion and fire, Wilmington, Delaware. (July 2, 2003)

CO25-23

5.5 811 – Georgia One Call

The primary safety mechanism relied upon by the pipeline companies is the Georgia Utility Facility Protection Act ("GUFPA"), O.C.G.A. § 25-9-1 et seq., commonly referred to as the "One Call" law. In simple terms, the GUFPA imposes a duty on people planning to engage in "blasting" or "excavating" to submit a locate request to the Utilities Protection Center ("UPC") to determine the location of utilities.[55] The purpose of this law is to protect people and property from harm resulting from the destruction of utility facilities by making the location of the facilities known.[56] If a person engaged in "excavating" does not submit a locate request through the UPC and subsequently damages a utility facility, that person is strictly liable for the resulting damage to persons or property and has to indemnify the affected facility owner or operator.[57] On the other hand, a person who is not scheduled to engage in statutorily defined "excavating" is expressly forbidden from submitting a locate request and can incur financial penalties for submitting an unnecessary request.[58]

[55] *See* O.C.G.A. § 25 9 1 *et seq.*
[56] *See* O.C.G.A. § 25-9-2.
[57] *See* O.C.G.A. § 25-9-13(a).
[58] *See* O.C.G.A. § 25-9-6(e).

24

CO25-23 The "One-Call" system is not intended to represent the only means of protecting the pipeline from potential outside forces. As discussed in section 3.13, the DOT also requires operators to place pipeline markers at frequent intervals along the pipeline right-of-way. The pipeline markers would identify the owner of the pipe and include a 24-hour telephone number. Further, Sabal Trail would establish a continuing education program to enable customers, the public, and those engaged in excavation to recognize a pipeline emergency and report it to appropriate public officials.

CO25-23 (cont'd)

The definition of the word "excavating" is contained in the GUFPA at O.C.G.A. § 25-9-3(12). That provision reads as follows:

> (12) "Excavating" means any operation by which the level or grade of land is changed or earth, rock, or other material below existing grade is moved and includes, without limitation, grading, trenching, digging, ditching, augering, scraping, directional boring, and pile driving. Such term, however, does not include routine road surface scraping maintenance. "Excavating" shall not include pavement milling or pavement repair that does not exceed the depth of the existing pavement or 12 inches, whichever is less. The term shall not include other routine roadway maintenance activities carried out by road maintenance or railroad employees or contractors, provided that such activities occur entirely within the right of way of a public road, street, railroad, or highway of the state; are carried out with reasonable care so as to protect any utility facilities and sewer laterals placed in the right of way by permit; are carried out within the limits of any original excavation on the traveled way, shoulders, or drainage ditches of a public road, street, railroad, or highway, and do not exceed 18 inches in depth below the grade existing prior to such activities; and, if involving the replacement of existing structures, replace such structures in their previous locations and at their previous depth. "Excavating" shall not include normal farming activities.[59]

Pipeline companies routinely use the One Call law as a defense when there is an incidental strike of the pipeline by a property owner or third party.

Pipeline companies are not required to personally contact landowners to inform the landowner of the One Call law. Pipeline companies typically send out a calendar or flyer once a year to inform the landowner of the One Call law. These flyers are often thrown away as junk mail.

6.0 Environmental Justice Issues Are Ignored by FERC.

As United States Representatives Sanford Bishop, John Lewis, Hank Johnson, and David Scott have noted in their October 23, 2015 letter to the FERC Commissioners, FERC has not properly analyzed the significant Environmental Justice ("EJ") impacts of the SMP Project, particularly in Dougherty County and Albany, Georgia.

FERC's contention that the SMP Project would have no significant EJ effects in Georgia is based on a deliberately skewed analysis that flies in the face of any objective and fair evaluation. As a result, any approval of the proposed SMP Pipeline route or the Station in Georgia will be arbitrary and capricious on its face as a matter of law.

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[59] O.C.G.A. § 25-9-3(12).

CO25-24

6.1 Improper weight to EJ concerns and discriminatory effect of SMP project

FERC acknowledges, as it must, that Executive Order 12,898 (*Federal Action to Address Environmental Justice in Minority Populations and Low-Income Populations*) ("Order") requires FERC to consider whether Sabal Trail's proposed project would have a disproportionate impact on the health and environment (including social and economic impacts) of minority and low-income communities.[60] The Order also requires each federal agency to conduct its programs, policies, and activities that affect human health or the environment in a manner that ensures that such programs, policies, and activities do not have the effect of subjecting persons and populations to discrimination because of race, color, or national origin.

FERC dismisses any EJ concerns in its DEIS, using the spurious reasoning that (1) there are no high and adverse impacts on the environment or human health and (2) there are no disproportionate impacts. FERC's conclusions are wrong on both counts.

First, the terminology "high and adverse" comes from the DEIS and is not defined anywhere in it. However, at numerous points, the DEIS also uses that phrase interchangeably with the term "substantial." Regardless of which term is used, FERC's conclusion that the SMP Project will have no high and adverse impact on the environment or human health of a minority population is simply not supported by the credible evidence already submitted for the record.

The evidence in the record demonstrates that:

- The Station would be located in, and the proposed SMP Pipeline would traverse, dangerous sinkhole-prone terrain that can lead to pipeline collapse, rupture, and explosion, including within the City of Albany's drinking water well field that already is pockmarked with over 40 sinkholes, which drinking water well field supplies water to 35,000 City residents the vast majority of whom are African American;
- The Station would emit tons of pollutants in an African-American residential neighborhood that will contribute to an exceedance of NAAQS;
- The Station will emit non-stop noise and vibration, 24 hours a day, 7 days a week in an African-American neighborhood;
- Compressor stations and the pollutants they emit cause a variety of serious adverse health effects including, without limitation, respiratory, cardiological, neurological, and kidney problems as well as hypertension, heart disease, hearing impairment, communication problems, sleep disturbance, adverse cognitive effects (including memory loss), behavioral problems, vibro-acoustic disease, nausea, and irritation of eyes and nasal passages;

[60] DEIS at 3-214.

26

CO25-24 Table 3.10.4-2, in fact, defines "high and adverse" impacts. As described in section 3.10.6, our analysis of environmental justice impacts considered if impacts on human health or the environment (including social and economic aspects) would be disproportionately high and adverse for minority and low-income populations and appreciably exceed impacts on the general population or other comparison group.

The commentor's statements regarding potential impacts on the pipeline as a result of placement within karst topography, and impacts on vegetation/land use, air quality, noise, and safety are acknowledged throughout the EIS in sections 3.1, 3.5, 3.9, 3.12, and 3.13. Based on the criteria identified in table 3.10.4-2 and discussed throughout the section, we determined that the project would not present a disproportionately high and adverse impact on environmental justice populations for various reasons, including avoidance, minimization and mitigation measures adopted by the Applicants or included in our recommendations for inclusion in any potential authorization that would reduce environmental impacts to less than significant.

CO25-24 (cont'd)

- The Pipeline would result in the clearing of at least 4,356 acres of forest and would substantially impact invaluable longleaf pine forest, critical wildlife habitat, streams, rivers, and at least 940 acres of wetlands; and
- Spectra has a long history of safety violations and accidents that have led to millions of dollars in fines, property damage, bodily injury, and death.

As discussed elsewhere in these comments, FERC improperly dismisses each of these substantial adverse impacts. FERC also improperly considers each impact in isolation to the others with no consideration of their cumulative impact.

CO25-25 Second, and more notable, is FERC's faulty analysis of disproportionate impact of the Station. FERC acknowledges that an astonishing 82% of the SMP Project would cross or be within one mile of census tracts which are considered to be EJ populations.[61] In other words, FERC essentially admits that, on its face, the SMP Project has a discriminatory effect. Given this fact, the analysis need go no further.

However, FERC goes to the next step and finds that proposed alternative routes with EJ population percentages of 54% to 74% do not establish disproportionate impact.[62] Even if these numbers are correct, which is not the case, this is clearly targeted for one result and is just flat wrong under any proper statistical analysis. A difference of 8% to 28% is clearly significant. Moreover, FERC conspicuously fails to include in its analysis the Gulf Crossing alternative route which would (a) be co-located alongside an existing pipeline underneath the Gulf of Mexico that Spectra, Sabal's majority owner and operator, co-owns, and (b) have no impacts on any populations at all for most of its length.

FERC's analysis of the disproportionate impact of the SMP Project in Dougherty County is also wrong. FERC found that the SMP Project would be located across or within one mile of seven census tracts, five of which are EJ populations (71%).[63] FERC then finds that because this percentage is lower than the 85% of EJ census tracts for the entire county, there can be no disproportionate impact.[64] This analysis completely misses the point, which is that for a 500-mile-long pipeline through three states, Sabal Trail and its cohorts should avoid any community that is overwhelmingly African-American or low-income, including Dougherty County, and FERC most certainly should not have to go through five of seven EJ census tracts in Dougherty County. By using a county that is already overwhelmingly comprised of EJ communities as the baseline against which disproportionate impact is measured, FERC has artificially stacked the deck against any possible finding of disproportionate impact. This methodology flies in the face of the spirit and intent of Executive Order 12,898.

[61] DEIS at 3-216.
[62] *Id.*
[63] DEIS at 3-217.
[64] *Id.*

CO25-25 We do not agree. As stated in section 3.10.4 of the EIS, the methodology used followed EPA guidance. The EIS analyzes whether impacts on these populations would be high and adverse, and disproportionately greater than the general population or other comparison group.

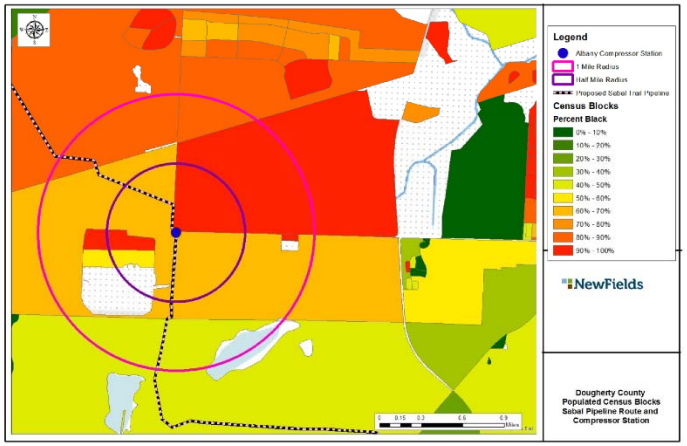
The EIS does not deny that minority and low-impact populations would be affected by the project. We determined that these impacts would be reduced to less than significant as a result of permitting regulations and requirements, the Applicants' proposed mitigation measures, and our recommended mitigation measures identified in the EIS. The EIS correctly concludes that the project would not represent disproportionately high and adverse impacts on environmental justice populations because, in part, only negligible to moderate impacts are expected on air quality resulting from construction and operation of the project.

Section 3.10.4 provides additional information.

CO25-25 (cont'd)

Most astoundingly, FERC states in conclusory fashion, with no supporting analysis at all, that the proposed location for the Station does not lie within an EJ community.[65] FERC makes no effort to address the evidence submitted in previous comments showing that the Station location would be right in the middle of a majority African-American residential community that includes a mobile home park (Countryside Village Mobile Home park), two subdivisions (Winterwood and Indian Creek), four schools (Robert Cross Middle School, Deerfield Windsor High School, Live Oak Elementary School, and Alice Coachman Elementary School), the 5,000-plus member Mt. Zion Church, and recreational facilities (Exchange Club Fairgrounds, Stoneridge Subdivision golf course, and the YMCA). Five other compressor stations for this proposed project are located in much smaller populated areas.

Additionally, although the site of the Station is in a majority white census tract, the actual location of the Station would be in a majority African-American area on the northern periphery of the majority white area. More specifically, 100% of the residents within the census block occupied by the Station are African-American, 84% of the residents within a one-half mile radius of the proposed location are African-American, and 82% of the residents within a one-mile radius of the proposed location are African-American.[66] The following diagrams illustrate this racial breakdown:



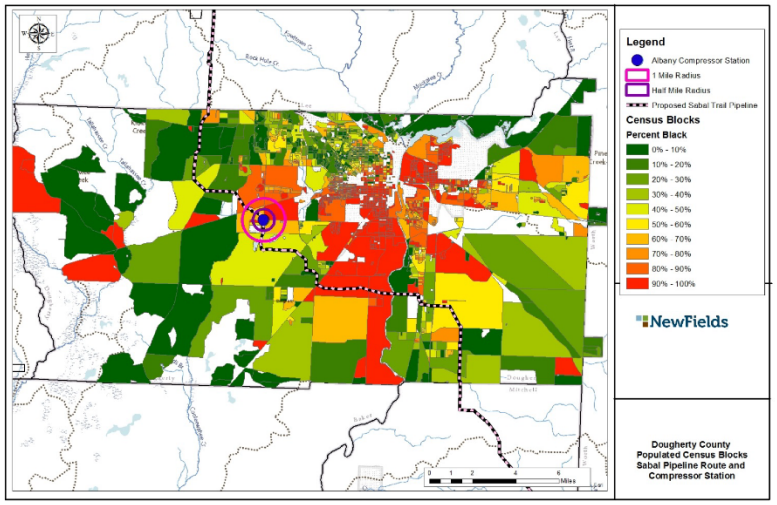
[65] *Id.*

[66] The Countryside Village Mobile Home Park, directly adjacent to the Station site and the pipeline, with the nearest home within 100 feet of the pipeline and only 1,600 feet away from Station, is also an EJ community with a population that is 68% African-American and 70% of the households having an annual income of $30,000 or less. (Source: Countryside Village.)

28

O-289

CO25-25 (cont'd)



(Source: U.S. Census Data for Dougherty County Populated Census Blocks.)

In addition to the population data discussed above, it should be noted that 31.2% of the population in Dougherty County has an income below the federally established poverty level. Worse, and more compellingly, of those who live below the poverty line in Dougherty County, only 14.4% of those individuals are White as compared to 38.6% of the African-American community and 50.1% of the Hispanic community, demonstrating that racial minorities in Dougherty County are disproportionately poor.[67] Thus, although census block data is not available (due to privacy concerns) to show the poverty level of those living within one-half mile or one full mile of the Station, it is fair to assume that the majority of those residents, most of whom are minorities, live below the poverty line. In fact, 70% of the residents of the Countryside Village Mobile Home Park directly adjacent and closest to the Station have annual average income of $30,000.[68]

The above racial and income analysis is the one that FERC's consultants should have performed if they had any intention of looking at the EJ issue fairly and objectively. That they have failed to do so, even after these Affected Parties have previously and repeatedly argued that the SMP Pipeline and Station will significantly affect EJ communities, further supports the conclusion that FERC's consultants have a clear conflict of interest as will be discussed further below. FERC's consultants' conclusions and FERC's

[67] U.S. Census.
[68] Countryside Village data.

CO25-25 (cont'd)

reliance on them is not entitled to any weight. Any continued reliance on the skewed EJ analysis contained in the current DEIS would result in a clearly deficient EIS and would be arbitrary and capricious.

The bottom line is that the proposed SMP Pipeline route and the proposed location for the Station blatantly discriminate against EJ communities. It is not the responsibility of those opposed to this discriminatory result to find better, alternative routes – that is FERC's legal and mandatory responsibility. Even so, by FERC's own admission in its DEIS, GreenLaw has proposed, and the remaining Affected Parties have supported in the record, numerous alternative routes that would have less disproportionate impact on EJ communities. If the SMP Project is to be approved, one of those alternatives should be adopted.

7.0 Cumulative Impacts Are Not Properly Evaluated By FERC.

7.1 Governing legal principles

FERC must consider all direct, indirect, *and* cumulative impacts associated with Sabal's proposed project.[69] Direct impacts are those which are "caused" by the action and occur at the same time and place.[70] Indirect impacts are those which are "caused" by the action and are later in time or further removed in distance, but are still reasonably foreseeable.[71] A cumulative impact is:

> the impact on the environment which results from the incremental impact of the action ***when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.*** Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.[72]

These regulations show that the required cumulative impacts analysis should not be limited to the effects of the project in question; rather, the analysis must include consideration of independent but reasonably foreseeable projects, including those without any causal connection to the project being evaluated. This conclusion follows from the language and structure of the regulations which provide that cumulative impacts include 1) past and present actions, neither of which can possibly include the proposed Project that has not even been approved; and 2) the *other* actions of *other* persons who do not necessarily have any relationship with the proposed project itself.

A causation requirement for cumulative impacts would be redundant given that the scope of the DEIS must include both direct and indirect impacts. Since direct and indirect impacts must be caused by the proposed action, consideration of cumulative impacts would add nothing to the scoping process if

[69] *See* 40 C.F.R. § 1508.25(c)(3).
[70] *See* 40 C.F.R. § 1508.8.
[71] *Id.*
[72] 40 C.F.R. § 1508.7 (emphasis added).

those impacts also must be caused by the proposed action.[73] In short, all cumulative impacts - past, present, and reasonably foreseeable future ones - from federal, non-federal, and private sources, must be considered as part of FERC's environmental review of this proposed project. This must be done without regard to whether the cumulative impacts are caused directly or indirectly by the proposed project.

CO25-26

7.2 Consideration of reasonably foreseeable impacts without regard to tortured and narrow "regions of influence" test

In its DEIS, FERC correctly acknowledges that it must consider not only the impacts of the SMP Project but also the impacts of other past, present, and reasonably foreseeable future actions.[74] However, FERC contends that only actions within "regions of influence" of the pipeline must be considered.[75] Based on this premise, FERC narrowly confines a region of influence to the route that would be traversed by the proposed pipeline. As noted above, the governing regulations do not support FERC's position that limits impacts to a narrow "region of influence." Instead, the regulations merely require that an impact be directly or indirectly caused by the project or be a reasonably foreseeable result from the project. Based upon the faulty and unsupported "regions of influence" premise, FERC refuses to consider certain impacts including those arising from fracking of shale gas.

As noted above, FERC must consider indirect effects which are impacts caused by the action, but occur "later in time or rather removed in distance, but are still reasonably foreseeable."[76] Indirect impacts include "growth inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems."[77] The inducement of future development in the Barnett, Marcellus, and other shale regions is an indirect effect of the pipeline's construction and operation that must be evaluated in FERC's EIS. Such development is well understood to be an indirect effect of the availability of pipeline infrastructure to transport the fracked shale gas from the shale regions.[78]

Additionally, continued and additional development of shale gas and the operation of well pads, access roads, gathering lines, compressor stations, and other infrastructure in the Barnett, Marcellus and other shale gas regions identified in Sabal's application, is reasonably foreseeable to support the existence of and need for the SMP Project. A definitive link exists, even though one is not required, between the construction of interstate natural gas pipelines and the development and production of fracked shale gas. Upstream activities in the various shale producing regions may only proceed if FERC continues to expand access to markets by allowing the construction of interstate pipelines.

[73] *See, e.g., Grand Canyon Trust v. FAA*, 290 F.3d 339 (D.C. Cir. 2002); *U.S. v. 27.09 Acres of Land*, 760 F. Supp. 345 (S.D.N.Y. 1991).
[74] DEIS at 3-281.
[75] *Id.*
[76] *See* 40 C.F.R. § 1508.8.
[77] *Id.*
[78] *See, e.g., Natural Resources Defense Council, Inc. v. Fed. Aviation Admin.*, 564 F.2d 549 (2d Cir. 2009) (holding that the FAA properly considered indirect impacts of induced growth caused by new airport construction).

CO25-26 Section 3.14 addresses cumulative impacts and explains the basis for regions of influence used to evaluate for potential cumulative impacts on each major resource. Many impacts associated with a liner infrastructure project are, in fact, of limited extent and, thus, the potential for cumulative impacts to occur is also limited (e.g., soil disturbance is limited to the construction footprint). We also note that HUC 12 sub-watersheds used to evaluate for potential cumulative impacts on water resources and other resource can extend for numerous square miles.

Section 3.14 has been revised to explain that an agency is not required to engage in speculative analysis or to do the impractical, if not enough information is available to permit meaningful consideration. Section 1.3 also explains why we do not consider impacts associated with natural gas production in our analysis.

CO25-26 (cont'd)

FERC must approve all potential interstate transmission lines before construction may begin. As a result, FERC provides a critical gatekeeper function for natural gas development in this country because, without its approval of gas pipelines, the development of fracked gas would be severely impaired if not outright halted. Unlike many other products, natural gas producers are entirely reliant on interstate gas pipelines to transport their product across state lines due to the very nature of the product. As one court has noted, "when an agency serves effectively as a 'gatekeeper' for private action, that agency can no longer be said to have 'no ability to prevent a certain effect.'"[79] As such, FERC must consider the environmental impact of fracking as part of the DEIS. This is particularly so in this case given that the SMP Project includes significant upgrades to the Transco line that transports natural gas from fracking in Texas. FERC's continued refusal to consider the effects of fracked shale gas production renders its DEIS fatally deficient.

For those impacts that FERC does consider, FERC commits two principal errors. First, FERC improperly discounts several significant impacts that are caused by, or are reasonably foreseeable results of, the SMP Project. Second, and more fundamentally, FERC creates another fatal flaw in its DEIS when it considers each impact in isolation to all of the others, without ever giving any consideration to the *cumulative effect* of all of them put together.

CO25-27

7.3 Improper minimization of particular impacts resulting from the SMP Project

7.3.1 Climate Change

In the DEIS, FERC relies rather heavily on climate change findings made by the Intergovernmental Panel on Climate Change ("IPCC") and on the U.S. Global Change Research Program ("USGCRP"), which FERC recognizes, respectively, as the leading international, multi-governmental scientific body for the assessment of climate change and the leading U.S. scientific body on climate change. FERC specifically acknowledges and accepts the findings of those bodies that combustion of fossil fuels (coal, petroleum, and natural gas) combined with agriculture and clearing of forests is primarily responsible for the accumulation of greenhouse gases ("GHGs"), and that GHGs are the primary contributing factor to climate change as well causing changes to water resources, transportation, agriculture, ecosystems, and human health.[80] FERC also notes numerous adverse effects in the Southeast that are attributable to climate change including increased temperatures that will result in harmful algal blooms, increased disease-causing agents, spread of non-native plants, reduced dairy and livestock production, and reduced crop productivity; rise in sea levels and sea water temperatures; increased ocean acidification that threatens corals, shellfish, and other sea life; increased flooding, erosion, property damage, and loss of wetlands; intensified droughts; more frequent and intense hurricanes; increased number of days that fail to meet federal air quality standards; and extreme weather events that will disrupt energy production, delivery, and supply.[81]

[79] *Humane Society of U.S. v. Johanns*, 520 F. Supp. 2d 8, 25 (D.D.C. 2007).
[80] DEIS at 3-288.
[81] DEIS at 3-288 to 3-289.

CO25-27 See section 3.14.4 for additional information related to the GHG emissions from coal and natural gas as well as FERC's policy on conducting lifecycle analyses.

CO25-27 (cont'd)

Additionally, FERC acknowledges that operation of the SMP Project will result in the distribution and consumption of approximately 1,000,000 Dth/d of natural gas, a fossil fuel that FERC also recognizes is a major contributor to GHGs and climate change, with all of the corresponding adverse effects described above.[82] And finally, FERC acknowledges that the SMP Project will support the future Florida Power & Light and Duke Energy natural gas power plants in Florida which will, of course, burn natural gas.

Against this ominous backdrop of colossal adverse effects resulting from the SMP Project, FERC cavalierly dismisses any concern based on two minor offsetting factors: (1) portions of the gas transported by the SMP Project would be consumed by power plants that are replacing coal plants, and coal plants are greater emitters of CO_2, a GHG; and, (2) potential future sources of GHGs such as the two new power plants in Florida would be subject to permit emission requirements. FERC's "offsets" border on laughable.

First, although natural gas emits less CO_2 than coal, it is well-known that methane (CO_4) emissions from natural gas pipelines, compressor stations, and natural gas power plants have anywhere from 33 to 105 times the global warming potential of CO_2.[83] Moreover, FERC admits that there would only be "some" offsets to emissions from coal.[84] FERC makes no effort to analyze how much the offset there might be, so it cannot possibly conclude that there would be no significant cumulative impact from the methane emissions.

Second, merely because the two new power plants would be subject to permit emission requirements does not support a conclusion that the emissions from those plants would not have significant effects on human health or the environment. Furthermore, the mere fact that the power plants would be regulated by another agency does not negate FERC's responsibility to fully and independently assess the environmental and human health impacts of those plants under NEPA.[85] The issuance of a permit only provides that a plant has met a "minimum condition"; it does not establish that a project will have no significant impact under NEPA.[86] Thus, FERC must examine the potential impacts of the two power plants without relying on a separate permitting process by another agency.

[82] DEIS at 3-289.
[83] *See* Howarth, Robert W., et al., "Methane and Greenhouse-Gas Footprint of Natural Gas from Shale Formations," 106 Climatic Change 679, 685 (2011) *available at* http://link.springer.com/content/pdf/10.1007%2Fs10584-011-0061-5.pdf; IPCC, *Direct Global Warming Potentials*, 2.10.2, Table 2.14 IPCC Fourth Assessment Report (2007) *available at* http://www.ipcc.ch/publications_and_data/ar4/wg1/en/ch2s2-10-2.html (placing methane's global warming potential at 72 times higher than CO_2 over a 20-year time period).
[84] DEIS at 3-289.
[85] *See Idaho v. Interstate Commerce Comm'n*, 35 F.3d 585, 595-96 (D.C. Cir. 1994) (holding that an agency fails to take a required "hard look" when it "defers to the scrutiny of others").
[86] *Calvert Cliff's Coordinating Comm. v. U.S. Atomic Energy Comm'n*, 449 F.2d 1109, 1123 (D.C. Cir. 1971).

CO25-28

7.3.2 Proposed FPL and Duke Energy power plants

FERC acknowledges that impacts from the proposed construction of the FPL and Duke Energy power plants in Florida should be considered in the NEPA process because those two plants supposedly will burn virtually all of the natural gas transported by the proposed pipeline project.[87] With respect to the Duke Energy plant, FERC also describes in detail 228 acres of forest, wetlands, marsh, and electric transmission right of way that would be adversely affected by the construction of the plant. FERC then summarily dismisses this destruction with the conclusory statement that "restoration plans" were "expected" to "minimize" any adverse impacts. FERC provides no description of what those "restoration plans" are, provides no analysis of the adequacy of the plans, and provides no information as to why it is reasonable to "expect" that Duke Energy will actually implement any such plans.[88] This hardly constitutes the required "hard look" according to the requirements of NEPA.

With regard to the plant's emissions, FERC commits the same errors discussed above by stating that it will simply rely on another party to insure that Duke Energy meets federal standards and by assuming that meeting minimum permitting standards demonstrates no significant adverse impact.[89] FERC has not performed any analysis itself, as required by NEPA, and it improperly assumes that meeting minimum permitting standards establishes no significant impacts.

With respect to the FPL plant, FERC candidly admits that "environmental impacts associated with construction and operation of the planned facility are not known at this time," but hundreds of acres are expected to be impacted.[90] FERC also notes that FPL would be served by a three to four-mile lateral from this project, but FERC is not planning to perform any environmental review for potential adverse impacts until a later time. Again, FERC completely fails to perform any environmental review of the potential impacts from the FPL plant other than to state in conclusory fashion that the plant is part of FPL's strategy to replace older, less efficient power plants. This statement does not even come close to the "hard look" review required by NEPA.

These two power plants will emit tons of toxic air pollutants each year, including NO_x, VOCs, HAPs, and GHGs. The severely detrimental effects of NO_x and ozone (that is formed from NO_x) have been described previously. The most common HAPs associated with natural gas are n-hexane and the "BTEX" compounds – benzene, toluene, ethylbenzene, and xylene.[91] Benzene is a known human carcinogen, and formaldehyde, also characteristically emitted, is a probable human carcinogen.[92] FERC simply cannot abdicate its duty under NEPA to take a close look at the significant adverse environmental and human health effects of these two power plants. Its failure to do so is arbitrary and capricious.

[87] DEIS at 3-284 to 3-285.
[88] *Id.*
[89] DEIS at 3-285.
[90] *Id.*
[91] Oil and Natural Gas Sector: New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants Reviews, 76 Fed. Reg. 52,738, 52,745 (August 23, 2011).
[92] *Id.* at 52,791.

34

CO25-28 The EIS discloses in sufficient detail the impacts associated with the proposed Duke Energy power plant, and explains why the additive impacts of the SMP Project would not be significant.

Regarding the proposed Okeechobee power plant, in addition to correctly acknowledging that specific environmental impacts associated with the plant are not known at this time, the EIS also explains that the impacts associated with the plant and the FSC Project would not substantially overlap in time or location, which supports the conclusion in the EIS that the cumulative construction-related impacts of the projects would not be significant. Regarding operational impacts, the EIS correctly points out that the Okeechobee plant would be 60 miles from the Reunion Compressor Station, (the nearest compressor station associated with the SMP Project) and outside the region of influence we considered for cumulative impacts.

Potential health effects of air emissions from the proposed compressor stations are discussed in section 3.12.1.3.

CO25-29

7.3.3 Forests

FERC acknowledges that 4,356 acres of forest will be destroyed by the SMP Project and that, in combination with forest clearing on other projects, would contribute to cumulative impacts.[93] FERC also admits that it does not know what the restoration or mitigation measures, if any, might be for other projects in the same area as the pipeline project.[94]

FERC minimizes this substantial destruction by contending that several acres are low quality planted pine forest, 2,688 acres would be allowed to revert to pre-construction condition over several decades, 1,553 acres of cleared trees in the right-of-way would make way for other vegetation, the tree destruction is only "incremental" because it would occur in areas where the SMP Pipeline would be co-located with another pipeline, impacts will be spread along the entire length of the SMP Pipeline thereby minimizing any local impact, and the number of trees lost would be insignificant in comparison to the total number of trees in the region.[95]

FERC ignores several important considerations. First, pine forest, whether planted or not, provides valuable wildlife habitat and lessens the adverse effects of climate change – an effect that will be exacerbated by the burning of 1,000,000 Dth/d supplied by the SMP Pipeline. Second, no plan is analyzed in the DEIS regarding how 2,688 acres of trees will revert to pre-construction conditions, and even FERC admits that this process would take several decades. Destroying this amount of acreage that would take decades to restore clearly constitutes a significant impact. Third, herbaceous vegetation in the SMP Pipeline right-of-way pales in comparison to forest in terms of value to wildlife, limiting light exposure and loss of soil moisture content, aesthetics, and climate change. Also, pipeline companies notoriously clear cut the right of way for pipelines to assure ability to inspect the easy way, by fly overs of the pipeline right of way. Such activity assures that little or no replacement vegetation can or will ever grow of the right of way of the SMP Pipeline.

The ability of trees to absorb carbon dioxide, a major contributor to climate change, is well-established. Additionally, the destruction of trees for a pipeline right-of-way results in fragmentation of forest land, thereby depriving forest species of shade, humidity, and tree canopy protection. Fourth, so-called "incremental" destruction of thousands of acres of forest is not insignificant regardless of whether it occurs in one state or three states. Fifth, simply because the tri-state area is blessed with a large number of trees does not justify cutting them down. We should be doing just the opposite by preserving this extremely valuable and irreplaceable resource in its current condition.

The destruction of thousands of acres of trees is, by any reasonable measure, a significant impact. FERC's continued refusal to evaluate this significant impact is arbitrary and capricious.

[93] DEIS at 3-287.
[94] *Id.*
[95] DEIS at 3-287 to 3-288.

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CO25-29 In re-characterizing our analysis of the impact of the SMP Project on forest resources, we note that the commentor considers the 1,668 acres of planted pine forest that would be affected as "several" acres, when, in fact, 1,668 acres represents 38 percent of the total forest affected by construction.

We also clarify for the commentor that collocation of linear facilities does result in "incremental" impacts when compared to greenfield routing, as subsequent facilities often utilize previously disturbed land during construction, or limit the total amount of land needed for operation. Table 3.9.1-1 indicates that the construction workspace for the SMP Project would overlap existing rights-of-way for 686 acres.

Furthermore, the EIS does not ignore the "important considerations" raised by the commentor but, as noted by the commentor, acknowledges and addresses the very points raised. For example, the EIS does not ignore the habitat value provided by planted pine forest, but correctly notes that this value is generally not as high as diverse native forest and because planted pine forests are routinely disturbed by harvesting.

We also disagree with the commentor's characterization of right-of-way maintenance practices as "notorious". The EIS explains that right-of-way maintenance is, in fact, critical to ensuring public safety by providing ready access for PHMSA requited inspection and by clearing marking the presence of the right-of-way to prevent encroachment. Right-of-way maintenance would also ensure rapid access to the pipeline in the event of an emergency. Furthermore, we refer the commentor to sections 2.3, 2.5, and 2.6 of the EIS, and associated plans in appendices or incorporated by reference, which describe the detailed restoration measures and monitoring plans that would ensure that "replacement vegetation" in fact does succeed in the right-of-way.

Lastly, we contend that the extent of a resource affected by an action is informative in evaluating the impact of the action and, thus, the potential cumulative impact of the action and other actions on the resource.

CO25-30

7.4 Improper segmentation of detrimental effects of the SMP Pipeline and failure to consider cumulative effects

In Section 3.14 of the DEIS, FERC identifies four classes of other foreseeable projects that it believes should be considered in the cumulative impacts analysis. However, FERC then considers the cumulative effect of each foreseeable project and the SMP Project in isolation to all of the other foreseeable projects and concludes that there is no significant impact. This is improper. An appropriate cumulative effects analysis considers *all* of the impacts of *all* of the other foreseeable projects in conjunction with the pipeline project.[96] FERC's failure to do so is arbitrary and capricious.

CO25-31

7.5 Failure to properly consider adverse impacts of SMP Project under unsupported theory that impacts are "temporary"

With respect to three classes of other reasonably foreseeable projects identified by FERC – residential and other development projects, roadway projects, and mining operations -- FERC found that "the permanent nature" of the impacts from other projects coupled with the "temporary nature" of the impacts from the SMP Project would not result in a significant cumulative impact on any affected resources.[97] FERC has clearly minimized the adverse effects of the SMP Project on the ground that FERC considers the effects to be temporary. This spurious theory is also without support in law and fact and is, therefore, improper.

First, many of the impacts from the SMP Project are not temporary. For example, forest destruction and fragmentation, especially in the pipeline right of way, wetlands destruction, and air pollution from the compressor stations are permanent. Second, merely because an impact is temporary does not mean that it may be discounted or not considered at all.[98] In other words, "[s]ignificance cannot be avoided by terming an action temporary or breaking it down into small component parts." That is exactly what FERC has done in its DEIS, and the DEIS is therefore deficient, arbitrary, and capricious.

8.0 FERC Has Not Properly Required and Considered Mitigation Measures.

An EIS must include a detailed statement of any adverse environmental effects that cannot be avoided.[99] Implicit in this requirement is an understanding that the EIS will discuss the extent to which adverse effects *can* be avoided.[100] Thus, NEPA regulations require an EIS to discuss appropriate and

[96] *See* 40 C.F.R. § 1508.7 (defining a cumulative impact as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions. . . .")
[97] DEIS at 3-286 to 3-287.
[98] *City of Oxford*, 428 F.3d 1346, 1352 (11th Cir. 2005); 40 C.F.R. § 1508.7.
[99] *See* 42 U.S.C. § 4332(2)(C)(ii).
[100] *Robertson v. Methow Valley Citizens Council,* 490 U.S. 332, 351-52 (1989).

36

CO25-30 The EIS analyzes the potential cumulative impacts of the SMP Project with four other project classes because these classes vary in scale, timing, and nature of impact. Section 3.14.4 discusses the combined cumulative impact of the SMP Project and all projects considered and explains why we conclude that the SMP Project would not significantly contribute to cumulative impacts in the region.

CO25-31 Although the commentor may disagree, section 3.0 of the EIS fully discloses the effects of the SMP Project on all resources and clearly explains our conclusions that the majority of these impacts would be temporary. The EIS also discloses the long-term and permanent impacts of the SMP Project, including on the resources referenced by the commentor. Furthermore, the EIS details the measures that would be implemented to avoid, minimize, and mitigate impacts on a resource by resource basis and provides the basis for our conclusion that the SMP Project would result in adverse impacts on the environment, but that these impacts would be less than significant.

possible mitigation measures.[101] This must be done in sufficient detail to ensure that environmental consequences have been fairly evaluated.[102]

The mere listing of mitigation measures is not enough to qualify as the reasoned discussion required by NEPA.[103] As aptly stated by the Ninth Circuit Court of Appeals:

> An essential component of a reasonably complete mitigation discussion is an assessment of whether the proposed mitigation measures can be effective. . . . A mitigation discussion without at least some evaluation of effectiveness is useless in making that determination.

The Court must be satisfied that the agency took the requisite "hard look" at the possible mitigating measures.[104]

CO25-32 FERC's DEIS repeatedly does not comply with these fundamental principles. For example, FERC discusses the cumulative impacts of other energy projects, including the planned FPL and Duke Energy natural gas power plants, and recognizes that they will have cumulative impacts. (DEIS at 3-284 to 3-285. However, with respect to the Duke Energy plant, FERC's discussion of mitigation measures is limited to a conclusory statement that "cumulative impacts would be minimized by implementation of Sabal Trail's construction and restoration plans and similar plans expected to be implemented by DEF."[105] FERC lists no possible avoidance or mitigation measures and consequently engages in no discussion of any such measures or their potential effectiveness. With respect to the FPL plant, FERC does not even include a conclusory statement because it admits that it has no idea what impacts may be caused by the construction and operation of that plant.[106]

Numerous other examples abound. FERC acknowledges that the clearing of 4,356 acres of forest would contribute to cumulative impacts with other projects but, once again, engages in no discussion of any mitigation measures, or, in honesty admits that there will be little or none on the right-of-way that requires the elimination of thousands of acres of trees, other that planting of grass which will be mowed regularly.[107] The same defect occurs with the cumulative impacts on climate change.[108] It is no answer that FERC does not believe these activities will have any significant effects because, as already noted, FERC's "belief" analysis of significant impacts is completely deficient.

[101] *See* 40 C.F.R. §§ 1502.14(f), 1502.16(h), and 1508.25(b).
[102] *Robertson*, 490 U.S. at 352-53; *City of Carmel-by-the-Sea v. U.S. DOT*, 123 F.3d 1142, 1154 (9th Cir. 1997).
[103] *Neighbors of Cuddy Mountain v. U.S. Forest Serv.*, 137 F.3d 1372, 1380 (9th Cir. 1998).
[104] *Okanogan Highlands Alliance v. Williams*, 236 F.3d 468, 473 (9th Cir. 2000); *cf. City of Oxford*, 428 F.3d at 1352.
[105] (*Id.* at 3-285.)
[106] (*Id.*)
[107] DEIS at 3-287.
[108] DEIS at 3-288.

CO25-32 See response to comments CO25-27, CO25-28, CO25-29, CO25-30, and CO25-31.

CO25-32 (cont'd) Moreover, FERC's DEIS has the same failing for activities which it acknowledges may have a significant impact. For example, FERC admits that 940.2 acres of wetlands will be significantly impacted by the SMP Project. Its answer to this massive adverse impact is simply that the habitats would still remain functional and that related vegetative communities would be restored following construction.[109] FERC provides no analysis or discussion regarding possible avoidance of these impacts, how the restoration would be done, or any evaluation regarding the potential effectiveness of any measures to be taken.

CO25-33 Although FERC has a seven page section entitled "FERC Staff's Recommended Mitigation," that section contains virtually no discussion of avoidance or mitigation measures, much less an evaluation of their effectiveness.[110] Instead, the section contains statements such as "[t]he Applicants shall follow the construction procedures and mitigation measures described in their applications and supplements (including responses to staff data requests) and as identified in the EIS, unless modified by the Order." There is no discussion of the mitigation measures described in the applications, how the impacts could possibly be avoided to eliminate any necessary mitigation, or the effectiveness of the measures. Mere references to "mitigation measures described in their applications" or to the filing of updated mitigation plans abound throughout this section without any details or analysis.

CO25-34 Last, and particularly troubling, is that this section of the DEIS gives Transco and Sabal Trail 60 days to file noise surveys regarding noise from the various compressor stations, six months to complete full load surveys, and an entire year to correct any noise exceedances. This is a completely unacceptable, absurd and particularly callous timeframe for those who will be subjected to significant non-stop noise 24 hours a day, 7 days a week.

FERC has abjectly failed to include any meaningful discussion of possible avoidance and mitigation measures in its DEIS or an evaluation of the effectiveness of those measures. This is a major deficiency in the DEIS and renders FERC's action arbitrary and capricious.

CO25-35 **9.0 FERC's discussion and rejection of alternatives to the proposed SMP Project is deficient and results in conclusions that are arbitrary and capricious.**

FERC states that the purpose of the SMP Project is to transport natural gas to Florida (without mentioning that the gas is for the generation of electricity), and thus it is beyond the scope of the DEIS to consider alternatives to the gas.[111] This is nonsensical. It is a dereliction of FERC's duty to ignore alternatives, such as conservation and renewable energy which, if implemented, would have no impact on the physical or human environment. At the very least, these should have been analyzed as part of the "No Action Alternative."

Conservation and renewable energy go to the heart of the necessity and convenience analysis. To truly determine whether the gas is necessary and convenient, FERC must analyze whether conservation and

[109] DEIS at 3-282.
[110] DEIS at 5-14 to 5-20.
[111] DEIS at 4-1.

38

CO25-33 Applicant proposed impact avoidance and minimization measures are described throughout the EIS. The FERC staff's recommended mitigation in section 5.2 consists of impact avoidance and minimization measures staff has determined necessary to ensure that construction and operation of the SMP Project would not result in a significant impact on the environment.

CO25-34 Sabal Trail and Transco have completed noise surveys and detailed noise analyses to assess the operational noise impacts from the proposed compressor stations and compressor station modifications. Based on these analyses, the stations will not exceed the FERC 55 dBA L_{dn} noise guideline. The noise analyses include specific noise mitigation measures for each source of noise. These noise mitigation measures include acoustically treated buildings, turbine exhaust mufflers, and turbine air intake silencers.

Because the noise analyses demonstrate compliance with the FERC 55 dBA Ldn noise guideline, the current compressor station designs are believed to be sufficient to protect the public from operational noise. However, the post-construction noise surveys are a standard procedure that ensures the compressor station noise levels are consistent with the analysis already completed. The timeframes for these post-construction noise surveys are consistent with other similar FERC projects.

CO25-35 Section 1.1 details the Applicant's stated purpose and need for the SMP Project and states throughout that the capacity of the project would be used to meet the electric generation loads of the two shippers, FPL and DEF.

The EIS does not ignore renewable sources of energy or energy conservation, but rather concludes that these alternatives would not meet the purpose of the SMP Project, which is to transport price competitive natural gas from Alabama to Florida to help meet the growing demand for natural gas by the electric generation, distribution, and end use markets in Florida and the Southeast United States.

To be clear, section 4.1 of the EIS does not state that selection of the No Action Alternative would force the SMP Project customers to seek other means to transport the natural gas capacity for which they have contracted. Recognizing that a customer which has entered into a long-term contract for natural gas may seek another source of natural gas if its original source in unavailable is not evidence that the FERC is an advocate of the Applicant's proposal.

CO25-35 (cont'd) renewable energy sources, *i.e.*, solar and wind, can meet the need; only after such investigation is done and FERC legitimately determines that conservation and renewable energy cannot meet the demand should natural gas be considered. As we have noted in previous comments submitted to FERC and in Section 1 of these comments, when proper estimates of future demand, current FPL reserves, current natural gas pipeline supplies, and available energy efficiency measures and renewable energy sources are considered, the proposed Project is not needed.

FERC opines that failure to build the pipeline will force the gas shippers to pursue other means of transporting the gas or other sources of the gas, which could result in equal or greater impacts and inadequate fuel supplies.[112] This is wholly speculative and unsupported, and goes beyond the scope of FERC's mandate which is simply to evaluate the impacts of the gas pipeline within the greater context of determining whether the project is necessary and convenient. In fact, FERC's conduct borders on advocacy for the project, which is wholly inappropriate but not surprising given FERC's track record of approving natural gas pipelines and the fact that the contractor FERC used for the DEIS is a consultant for the natural gas industry specializing in permitting and construction of pipelines (discussed further in Section 10 of these comments).

CO25-36 FERC discusses the idea of increasing compression in Alabama as a substitute for the Transco expansion project there, and dismisses it largely based on the increased air pollution that would result.[113] However, in its consideration of the Albany Compressor Station in Georgia, FERC summarily dismisses the air pollution impacts associated therewith. This is a flagrant double standard, arbitrary and capricious conduct, and is particularly egregious given that the proposed Albany Station location is right in the heart of a residential EJ community.

CO25-37 The Affected Parties have submitted at least 8 proposed alternative pipeline routes to FERC in previous submissions.[114] Those routes and comments associated with them will not be repeated here but are incorporated by reference. That said, the Affected Parties would note the following with specific reference to some of those alternatives:

- Station 85 Alternative: This alternative reduces construction in Georgia by over 110 miles, and avoids Georgia's unstable karst terrain
- FGT Onshore: This alternative results in no construction in Georgia, thus avoiding all of Georgia's unstable karst/sinkhole terrain. There are also 22 fewer residences within 50 feet.

[112] DEIS at 4-3.
[113] DEIS at 4-6.
[114] *See* April 21, 2014 Scoping Comments of the Kiokee-Flint Group, Sierra Club, Flint Riverkeeper, and Chattahoochee Riverkeeper and the Comments of the Affected Parties filed in separate submissions on December 22, 2014 which included the expert comments from Nutter & Associates. The Affected Parties hereby incorporate those comments, and particularly the discussion of alternative routes and the Nutter Report, in these comments.

39

CO25-36 We disagree that this is a double standard. As noted in section 4.2.1.4, a compression-intensive alternative was dismissed in large part to a 114 percent increase in projected air emissions associated with the Transco project, but also due to associated increased noise emissions and reduced reliability. As noted in Section 3.12.1.3, air emissions associated with the Albany Compressor Station would not exceed allowable standards, and therefore, would not be cause to deny use of compression at the location. For additional discussion of the air quality impacts from the Albany Compressor Station, see response to comment CO25-18.

CO25-37 We disagree that alternatives were not adequately considered. We outline our evaluation criteria and process in section 4.0 of the EIS, which includes exercising our professional judgement and balancing a range of environmental impacts on the natural and human environment. In addition, we include practical considerations related to costs, operations, risks, etc. For example, we view the stated concerns expressed about impacts to water supplies without merit as natural gas would not contaminate water in the event of a release.

CO25-37 (cont'd)

- Gulf Crossing: This alternative reduces all manner of impacts and takings of private property. FERC admits it is preferable from an impact standpoint, but is $2.2B more. The reduction in adverse impacts and takings of private property outweigh the increased costs.

- Hillabee: This alternative has fewer impacts to forests, springs, and residences, and more importantly, crosses 44 fewer miles of EJ communities. It also follows an existing 345-kv line thereby comporting with FERC's preference for co-location.

- GreenLaw Alternatives. FERC concedes that these alternatives have fewer overall impacts to the physical environment and significantly fewer impacts to EJ communities, but rejects these alternatives on the basis that they supposedly have greater impacts to the overall human environment. These alternatives, however, impact the human environment primarily in areas where that environment is already heavily impacted by other utilities, roads, and development. This is particularly true for the alternatives that co-locate with substantial portions of I-75, an especially heavily developed corridor. Given FERC's preference for co-location and minimization of greenfield development (which is a significant component of the SMP Project), it appears that FERC's rejection of these alternatives is merely a capitulation to Sabal Trail's concern that these alternatives would cost more money to build. Given that no objective analysis has been performed to confirm any such increased costs or the amount of those costs, FERC has failed to adequately investigate these alternatives.

- Dougherty County variations: FERC details the significant public response from Dougherty County, citing specific numbers of comments received. It also states that Dougherty County's population is 92,969, resulting in the compressor station being located, by far, in the most populous county in Georgia through which the proposed pipeline would run and possibly making it the most populous county in which a compressor station would be located along the entire Sabal Trail route. However, FERC summarily dismisses the concerns raised, including the concern about impacts to the City of Albany's well field despite incontrovertible evidence of dangerous karst terrain that has already led to more than 40 sinkholes in the well field. This summary rejection does not constitute the "hard look" that FERC is required to take.

- Albany Northeast Variation. This alternative is 3.6 miles shorter, requires 43 fewer acres of land for construction, impacts 85 fewer acres of forest, 33 fewer acres of wetlands, 65 fewer tracts, crosses 3.6 fewer miles of karst features, crosses 3.8 fewer miles of EJ communities, and is co-located along 98% of the route. It thus provides a clear advantage for the natural and human environment.

FERC is required to analyze reasonable alternatives to the proposed SMP Project, including a "no action" alternative. It is required to do so even in the absence of anyone suggesting specific

CO25-37 (cont'd) alternatives. However, the Affected Parties have spent considerable time and money to suggest at least 8 reasonable alternatives. FERC has not articulated reasonable objections to those alternatives or taken the required "hard look" at them. When all is said and done, it is clear that FERC's approach has been to place the burden on opponents of the Project to show that the SMP proponents' route is inappropriate rather than properly place the burden on the SMP proponents to show that the route will not have significant adverse effects on human health and the environment. FERC has not properly weighed the significant adverse effects of the SMP proponents' favored route or the advantages of the Affected Parties' proposed alternatives. FERC's failure to do so is arbitrary and capricious.

CO25-38 **10.0 The DEIS is Defective Due to Conflicts of Interest.**

FERC has a duty to avoid conflicts of interest in the preparation of an environmental impact statement. FERC may use a contractor in the preparation of an EIS so long as (a) it, as the lead federal agency, selects the contractor, (b) the contractor executes a disclosure statement specifying that it has no financial or other interest in the outcome of the project, and (c) it provided guidance and participates in the preparation of the EIS, evaluates the EIS prior to its approval, and takes responsibility for its scope and contents.[115] A conflict of interest exists when the nature of the work to be performed may, without some restriction on future activities (a) result in an unfair competitive advantage to a contractor; or (b) impair the contractor's objectivity in performing the contract work.[116]

Such conflicts typically exist where the contractor and/or its employees have a past, present, or ongoing financial interest in a project to be covered by the third-party contract. For example, a conflict exists if the contractor (i) has been involved with the applicant on the project before it is proposed to the Commission, or while it is pending before the Commission; (ii) has an ongoing relationship with the applicant; (iii) would be called on to review its own prior work; or (iv) has a financial or other interest in the outcome of the Commission's decision.[117] These rules apply to subcontractors as well.[118]

Here, conflicts of interest exist with respect to FERC's lead contractor and a major subcontractor. Merjent is the lead contractor on the DEIS and performs consulting work for numerous gas pipeline companies throughout the country. According to Merjent's website:

> Pipelines remain the most widely used method to transport oil and gas resources in North America. *We route them, survey them, permit them, inspect them, and provide operations and maintenance support services. We know pipelines and have supported all aspects of constructing new and maintaining existing pipeline systems across North America.*

[115] 40 C.F.R. § 1506.5(c).
[116] *FERC Handbook for Using Third-Party Contractors to Prepare Environmental Documents,* p. 4-1, December 2014.
[117] *Id.*
[118] *Id.* at p. 4-2.

41

CO25-38 Merjent worked under our direction and we take full responsibility for the contents, analyses, and conclusions in the EIS.

CO25-38 (cont'd)

(Emphasis added.)[119]

In addition, Merjent lists Transco as one of its clients; Transco is building the Hillabee Expansion project in Alabama, which is the first component of the SMP Project. Transco is also the owner and operator of the compressor station in Gibson, Louisiana that had an explosion that killed three workers on October 7, 2015,[120] and over the last 10 years has had a terrible safety record, involving 50 incidents and nearly $44M worth of damages.[121]

Merjent's work for the pipeline industry, generally, evidences a clear bias towards, and absolute commitment to, the industry; it is not in Merjent's financial interest to honestly describe the full impacts of this or any other gas pipeline if it wants to continue getting work from the industry. Merjent's work for Transco, specifically, shows that Merjent has an ongoing financial interest in the project covered by the DEIS. Taken together, it is clear that Merjent is unable to impartially and objectively analyze the legitimate and significant impacts of the SMP Project. FERC's reliance on Merjent to evaluate any aspect of the project covered by the DEIS is arbitrary and capricious.

In addition to the conflict of interest involving Merjent, there is an equally if not more flagrant conflict of interest involving Cardno-Entrix ("Cardno"). Cardno is a lead contractor for Sabal Trail on this Project, and is assisting Sabal Trail with the project's design, engineering and permitting. Inexplicably, Cardno was the author of the "Characterization of Karst Sensitive Areas Relative to the Proposed Route of the Sabal Trail Natural Gas Transmission Pipeline in Georgia," which is Appendix H of the DEIS and upon which FERC heavily relies for its dismissal of concerns over the presence of sinkholes along the SMP Pipeline route. As one of Sabal Trail's lead contractors, Cardno has an obvious ongoing contractual relationship with the applicant and an ongoing and direct financial stake in the outcome of the DEIS and the licensing of the project. Accordingly, it is impossible for Cardno to impartially and effectively opine on any issue, but especially something as critical as the existence of sinkholes along the pipeline route and the impacts of them on the pipeline. This clear conflict of interest renders the DEIS fatally flawed. FERC's reliance on the evaluations and opinions of Cardno is arbitrary and capricious.

The inherent flaws associated with Merjent's and Cardno's involvement in the SMP Project are exacerbated by FERC's failure to conduct proper oversight or take responsibility for the contents of the DEIS. At FERC's first public hearing on the SMP DEIS, FERC's project manager revealed that he was not aware of much of the contents of the report, most notably the detailed findings with respect to the overwhelming presence of sinkholes in Dougherty County, the impacts on EJ communities from the

[119] http://www.merjent.com/oil_gas.html, last visited October 23, 2015.
[120] *3 Dead After Louisiana Gas Plant Explosion,*" CNN.com, October 8, 2015.
[121] http://primis.phmsa.dot.gov/comm/reports/operator/Operatorlist.html?, last visited October 23, 2015.

CO25-38 (cont'd)

Station, or the recent accident involving Spectra's pipeline collapse and explosion in the Arkansas River.[122] This constitutes a further violation of the rules governing conflicts of interest.

Because of the collective conflicts of interest described above, the DEIS is fatally flawed and should be re-done using totally impartial consultants with no connections with the applicants or the pipeline industry. The failure to do so would be arbitrary and capricious.

11.0 Conclusion – The SMP Project is neither necessary nor convenient, but is instead dangerous and risky, has been improperly analyzed by FERC, and should be withdrawn.

In conclusion, FERC has failed to properly investigate and analyze both the need of the SMP Project and the breadth and depth of the impacts it will have on the physical and human environment in three states. Public testimony and documentation have shown that the need has been overblown, and the ability of alternatives to meet electricity demand, such as conservation and renewables, has been improperly dismissed. The threat to the health and safety of landowners and to air, land, forests, water and wetlands along the entirety of the SMP Project's route, but especially along the route of the Sabal Trail Pipeline, has been seriously understated, especially with respect to the risk from the sinkhole-riddled terrain as well as emissions from the Albany Compressor Station. The impacts to EJ communities, the failure rate of new pipelines, the horrendous track record of Spectra and Transco, and the existence of legitimate alternatives that could avoid the most egregious human and environmental impacts have all been improperly ignored. Moreover, the conflicts of interest of the main contractor and subcontractor who prepared the DEIS undercut the legitimacy and reliability of both the DEIS and FERC. Taken together, the aforementioned failures by FERC constitute arbitrary and capricious decision-making of the highest order. The SMP Project is not necessary or convenient; on the contrary, it is risky and dangerous for the Affected Parties and the environment. Accordingly, the DEIS and the SMP Project should be withdrawn.

[122] *Conversation with John Peconom, Albany, Georgia Public Hearing, September 28, 2015.*

12.0 References

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Sabal Trail Transmission, LLC	Docket No. CP15-17-000
Hillabee Expansion Project	Docket No. CP15-16-000
Florida Southeast Connection Project	Docket No. CP14-554-000

NOTICE OF FILING COMMENTS

CO26-1 COMES NOW, Graham Companies ("Intervenor"), and files the attached comments prepared by Graham Companies and its consultant, NewFields Companies, in response to the request for comments regarding the Draft Environmental Impact Statement. Intervenor reserves the right to supplement these comments as additional information is discovered.

Respectfully submitted October 26, 2015.

/s/ F. Edwin Hallman, Jr.
F. EDWIN HALLMAN, JR.
State Bar of Georgia #319800

/s/ Richard A. Wingate
RICHARD A. WINGATE
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CO26-1 See the responses to comments CO25-1 through CO25-38.

O-306

COMPANIES AND ORGANIZATIONS

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JOSHUA D. MARKS
JMARKS@DPSSLEGAL.COM

October 26, 2015

VIA ELECTRONIC FILING
Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Re: Sabal Trail Transmission, LLC: Docket No. CP15-17-000
Hillabee Expansion Project: Docket No. CP15-16-000
Florida Southeast Connection Project: Docket No. CP14-554-000
(collectively "Southeast Market Pipelines Project");
Comments on Draft Environmental Impact Statement

Dear Ms. Bose:

CO27-1 This Firm represents Country, GA, LLC ("Company"), owner of the Country Village Mobile Home Park in Albany, Dougherty County, Georgia ("Property"). The Property is located adjacent to the proposed Sabal Trail Pipeline and the Albany Compressor Station, two major components of the Southeast Market Pipelines Project ("SMP Project"). Company is gravely concerned about the impacts of the Pipeline and Compressor Station on the Property and its residents. Accordingly, please accept the attached Comments concerning the Draft Environmental Impact Statement for the SMP Project. These comments were prepared with the assistance of Company's environmental consultant, Newfields.

Thank you for your consideration of these comments. If you have any questions concerning this letter or its contents, please contact me at 404-588-0505 or jmarks@dpsslegal.com.

Sincerely,

DAVIS, PICKREN, SEYDEL & SNEED, LLP

Joshua D. Marks, Esq.

Attach.

cc: Mr. Enon Winkler (w/attach.)

O-307

CO27-1 See the responses to comments CO25-1 through CO25-38.

COMPANIES AND ORGANIZATIONS

CO28 – Graham Companies

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Sabal Trail Transmission, LLC	Docket No. CP15-17-000
Hillabee Expansion Project	Docket No. CP15-16-000
Florida Southeast Connection Project	Docket No. CP14-554-000

NOTICE OF FILING REVISED COMMENTS

CO28-1

COMES NOW, Graham Companies ("Intervenor"), and files the attached comments prepared by Graham Companies and its consultant, NewFields Companies, in response to the request for comments regarding the Draft Environmental Impact Statement. The attached report is a revised version of the report submitted on today's date to correct format and typographical errors only that inadvertently were not corrected in the version submitted. Intervenor reserves the right to supplement these comments as additional information is discovered.

Respectfully submitted October 26, 2015.

/s/ F. Edwin Hallman, Jr.
F. EDWIN HALLMAN, JR.
State Bar of Georgia #319800

/s/ Richard A. Wingate
RICHARD A. WINGATE
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CO28-1 See the responses to comments CO25-1 through CO25-38.

COMPANIES AND ORGANIZATIONS

CO29 – Nonami Oglethorpe LLC

UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

Sabal Trail Transmission, LLC	Docket No. CP15-17-000
Hillabee Expansion Project	Docket No. CP15-16-000
Florida Southeast Connection Project	Docket No. CP14-554-000

COMMENTS OF NONAMI OGLETHORPE, LLC ON DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR SOUTHEAST MARKET PIPELINES PROJECT

CO29-1 COMES NOW, Nonami Oglethorpe, LLC ("Intervenor"), and files the attached comments concerning the Draft Environmental Impact Statement ("DEIS") for the above-referenced FERC applications that together comprise the Southeast Market Pipelines Project. The comments were prepared with the assistance of Intervenor's environmental consultant, Newfields.

CO29-2 In addition to the attached comments, and in response to FERC's request at Section 3.9.2.5 of the DEIS, Intervenor draws FERC's attention to the fact that there is a conservation easement protecting Intervenor's property ("Property"), including the portion of the Property through which the pipeline is proposed to cross. The immediately affected portion of the Property, in addition to hosting cultivated crop land, also hosts numerous species of birds (doves, quail and migratory birds, all of which feed on the crop land) and terrestrial animals including deer and fox. Just south of the pipeline route there are areas of wetlands, upland longleaf pine and bottomland hardwoods, as well as numerous sinkholes that have formed spontaneously over the years; attached is a photo of a tractor that fell into a sinkhole last year. There is also a blue spring less than 1 mile south of where the pipeline is proposed to cross the Flint River, and we see no evidence that Sabal has investigated the potential impacts on that spring associated with the horizontal directional drilling it is proposing across the river. Nonami is gravely concerned about impacts to the spring, groundwater and other terrestrial impacts to the property and its wildlife from construction and operation of the pipeline, including the potential for pipeline rupture and collapse due to the sinkhole presence. The easement prohibits the construction of utility systems unless pursuant to

CO29-1 See the responses to comments CO25-1 through CO25-38.

CO29-2 The EIS addresses the general issues raised by the commentor. As stated in section 3.3.1.7, Sabal Trail has committed to communicate with affected landowners regarding the location of springs on their property.

As discussed in section 3.9, if an easement cannot be negotiated with a landowner and the project has been certificated by the FERC, the company may use the right of eminent domain granted to it under Section 7(h) of the NGA and the procedures set forth under the Federal Rules of Civil Procedure (Rule 71A) to obtain the right-of-way and extra workspace areas.

CO29-2, cont'd | an easement acquired via eminent domain. Nonami has repeatedly informed Sabal of this fact and has requested Sabal avoid crossing the property entirely.

Respectfully submitted October 26, 2015.

/s/ Joshua D. Marks, Esq.
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COMPANIES AND ORGANIZATIONS
CO30 – G.B.A. Associates LLC

UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

Sabal Trail Transmission, LLC Docket **No. CP15-17-000**
FERC/EIS 0262D

MOTION TO CORRECT INFORMATION IN DRAFT EIS

Pursuant to Rules 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (the ''Commission''), 18 C.F.R. § § 385.212 and 385.214, and Section 15(a) of the Natural Gas Act (15 U.S.C. § 717n), G.B.A. Associates, LLC and Gregory K. Isaacs (''Intervenor'') hereby submits requests and information in support hereof. Intervenor shows as follows:

On November 21, 2014, Sabal Trail Transmission, LLC (''ST'') filed its application for a certificate of public convenience and necessity in order to authorize it to construct, operate, and acquire facilities to transport natural gas to downstream markets in the United States. ST is a part of but only one component of the Southeast Market Pipelines Project Expansion. The other two components of the project are the Transco Hillabee Expansion in Alabama, Docket No. CP15-16-000 and the Florida Southeast Connection pipeline in Florida, Docket No. CP14-554-000 We jointly and severally submit the supplemental information to be included with Motion to Intervene filed with FERC on the ST Docket No. CP15-17-000 Said Motion to Intervene was filed submission ID 549818 and accession No. 20150203-5076

1. Contact Information and Service of Filings.

Intervenor requests that the Commission include the following representatives on the official service list to receive service of all filings and communications made in this proceeding:

Steve Jones, President
Land Owners Consulting, Inc.
sj@myloc.com
235 Apollo Beach Blvd Suite 122
Apollo Beach, FL 33572
(813) 645-7108

G.B.A. Associates, LLC
Attn: Harrison Isaacs
P.O. Box 2301
Moultrie, GA 31776
(229) 921-2130

O-311

2. **Description of G.B.A. Associates, LLC and Gregory K Isaacs**

G.B.A. Associates, LLC ("GBA") organized and existing under the laws of the State of Georgia . GBA is engaged primarily in the real estate business within the State of Georgia. GBA is in discussions with Wal-Mart and Publix's Markets as well as other high volume retailers to develop the commercial property located in (GA-COL-133.010) in Colquitt County, Georgia.

Mr. Gregory K Isaacs (Mr. Isaacs) is a member of G.B.A. Associates and investor in same.

CO30-1

3. Supplemental Information submitted from accepted Intervenor to correct DEIS

Sabal Trail Transmission, LLC (ST) left the co-located original alignment along the Southern Natural Gas Pipeline and deviated to a Greenfield reroute through the property of Gregory K Isaacs GA-COL-133.010 and GBA Associates, LLC GA-COL-133.700 impacting a very expensive commercial property. This property has been under negotiations with Walmart, Inc. and Publix, Inc as well as other large retailers for development. It will be a multi-million dollar property to cross as it will affect the value of the entire property. ST in the DEIS states that they had not been supplied details and information on the Isaacs and GBA development. April 3rd of 2015 contracts with these various entities was supplied to ST for viewing, as these negotiations are ongoing and confidential we were not able to supply hard copies of the contracts.

ST has been purchasing Right of Way on the Greenfield route at their own risk. This has however now created an impasse with discussions. ST has become biased and not able to make the correct decision to return to the co-location with the SONAT pipeline, the FERC preferred route or research other routing options.

It appears that ST is operating within their interest and not operating in "Good Faith".

We don't understand or agree with ST leaving the co-location of the SONAT pipeline.
We haven't received any reasons for the unwanted ST Greenfield reroute.
The orginal co-located route with the SONAT pipeline is much shorter is distance and would be less expensive to build and or purchase right of way, saving millions of dollars. As a result we filed a notice of complaint and objection to ST project on our land, FERC submission ID527642 11-6-2014, Accession No. 201411075027 11-7-2014.

We have filed multiple filings on the FERC Docket. with little to no response or discussions from ST. On page 3-134 Paragraph 3 from ST's biased prospective they indicate they have analyzed routes and they concluded that Variation 3 is preferable to avoid existing constraints south of Moultrie and G.B.A.'s potential development. Variation 3 impacts the G.B.A. development and is unacceptable. Variation 3 does not meet the "Alternatives" required by NEPA and commission's policies as stated on Page 4-1.

We were surprised at the information **we have never seen until we reviewed the DEIS**. Not supplying this information is just another effort of ST part to deceive and spread disinformation about this unwanted Greenfield route.

Page 3-134 FERC states that ST prior to the close of the draft EIS comment period, ST work with G.B.A. and file a revised alignment sheet that incorporates G.B.A. Variation 3 into the proposed route and documentation of or confirmation that ST would obtain the necessary federal approvals

CO30-1 We have reviewed the information provided by G.B.A. Associates and disagree that the requested route variation is an improvement in terms of constructability. While this route variation would be more collocated with SONAT, the presumption that homes along the SONAT corridor could be acquired is speculative. As explained in the EIS, we reaffirm that the SONAT Collocation Alternative does not offer a significant environmental advantage to the proposed route and that the route adjustment recommended by the FERC staff and adopted by Sabal Trail minimizes impacts on the G.B.A. Associates property by largely following property boundaries.

As the federal agency responsible for the review of applications for interstate natural gas transmission facilities, the FERC provides the independent review of proposals and alternatives referenced by the commentor.

CO30-1, cont'd

for the variation. ST has not reached out to G.B.A. as required. ST pressed forward with an appraisal(s) of the properties. Saying they are coming and the FERC requirement was ignored.

In Figure 4.3.2-2 there appears to be other options that are viable routes, ST would not endorse these as they are now biased and unable to analyze honestly. There needs to be an independent engineering company analyze these routes and submit an independent review. Moultrie Variation 4 appears to have merit to lower impact and avoid existing constraints south of Moultrie and G.B.A.'s potential development.

Table 4.3.2-5 Analysis of G.B.A. is incorrect as it doesn't take in to consideration the distances correctly. To fairly analyze these routes you have to take into consideration all of the ROW from the longest route and use that as the comparison of each. ST has used biased information and incorrect analysis so the table has little value in analyzing the routes.

Figure 4.3.2-3 on page 4-33 is the first time we have seen these alternatives. It appears GBA Variation 2 has merit. We have not had the opportunity to discuss the routes with ST as they are acting like a "Bull in a China Closet" and they are hiding behind the NGA and the certificate.

We have requested the use of "Advanced Dispute Resolution" services from FERC and ST has refused to participate. Once again showing ST is not interested in "Good Faith" Negotiations.

4. In Conclusion

A. We request an independent review of the routes and investigation of other possible routes.
B. We request the above mentioned corrections be made in the DEIS and be included correctly in the EIS.
C. We request the name of the individual that made the decision to reroute to the unwanted Greenfield reroute.
D. As ST not acting is good faith has not followed the requests and directives of FERC, NGA and NPA we request that in the event the unwanted Greenfield route is adopted, then FERC would preempt and restrain the right of Condemnation and or Eminent Domain on the two parcels of GBA. As to allow ST to buy their way through.

WHEREFORE, for good cause shown, GBA and Mr. Isaacs respectfully request that the Commission grant our requests and correct the DEIS, jointly and severally, in this proceeding with all rights appurtenant to that status.

Respectfully submitted,

/s/ Harrison Isaacs

Harrison Isaacs
For G.B.A. Associates, LLC and Gregory K Isaacs
Attn: Harrison Isaacs
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/s/ Steve Jones
Steve Jones
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Comments of G.B.A. Associates LLC and Gregory K Isaacs upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at this 26th day of October, 2015.

/s/ Harrison Isaacs

COMPANIES AND ORGANIZATIONS

CO31 – SE Environmental Geology

SE ENVIRONMENTAL GEOLOGY
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10/25/2015

Norman C. Bay, Chairman
Tony Clark, Commissioner
Cheryl A. LaFleur, Commissioner
Phillip D. Moeller, Commissioner
Colette D. Honorable, Commissioner
Federal Energy Regulatory Commission
888 First St. N.E.
Washington, D.C. 20426

RE: SABAL TRAIL TRANSMISSION, LLC
FERC DOCUMENT No. CP15-17-000

Dear Commissioners:

As a member of WWALS Watershed Coalition Florida Inc. (**W**ithlacoochee, **W**illacoochee, **A**lapaha and **L**ittle **R**iver **S**ystems) and as a Professional Geologist Licensed in the State of Florida (P.G. 2696) who was recognized as an expert witness at the recent Administrative Hearing that was granted to WWALS by the Florida Department of Environmental Regulation, State of Florida. Department of Environmental Protection, OGC Case No,: 15-0468 and regarding Department Permit File number 0328333-01, I have made the following determinations.

LiDAR Mapping is used in my determinations along with field work and first hand knowledge of the area due to past work projects adjacent to the pipeline and in the near vicinity.

LiDAR is an extremely accurate method of determining ground elevations that almost rivals work performed by land based topographic surveys.

Karst is a term used to describe a land surface where limestone is close to the surface and the land surface is shaped by the dissolution of the underlying limestone and the constant movement of the land downward. Sinkholes are prominent in karst terrain. There are literally thousands of sinkholes all along the route the Sabal Trail pipeline takes as it passes across Florida.

CO31-1 LOCATION OF PIPELINE ROUTE AS IT CROSSES THE SUWANNEE RIVER

Attached are Figure 1 and Figure 2 and two Photographs. Figure 1 is the Location Map showing the route of the pipeline as it crosses the Suwannee River through the Suwannee River State Park (SRSP) property in Hamilton County. This area is in the Floodplain of the Suwannee River. It also shows the location of the route as it begins its crossing of US Highway 90.

Figure 2 is a LiDAR Topography Map of a portion of the trail as it first enters the SRSP. The color scheme on the map is a representation of the topography with the highest elevation a warm brown and the lowest elevations a dark blue. Initially field work was performed to locate the pipeline route using GPS and then locating sinkhole features along its route at the specified location on the map. These coordinates were then entered into ArcView (software) and placed on the map in order to draw the pipeline route. This route was then compared with Sabal Trail Documents which located the pipeline route in the exact same location, plus or minus approximately 35' either direction.

Conclusion

In short, the sinkholes found on site accurately overlaid the blue features on the LiDAR Map. . There are possible fracture traces in the limestone that crisscross the site. In addition the entire floodplain area exhibited active sinkhole features too numerous to locate but very evident on the LiDAR Map (every blue feature). The two photos attached were taken on the pipeline route along the section shown on the LiDAR map and are indicative of active sinkholes. There are other features showing this is an area of active subsidence.

CO31-2 LOCATION OF THE PIPELINE ROUTE AS IT CROSSES OVER THE FALMOUTH CAVE SYSTEM AND UNDER US HIGHWAY 90

The Falmouth Cave system is an economic resource in our rural area. Divers from all over the world come to Suwannee County to dive and explore numerous cave systems. Falmouth is one of these cave systems. Divers have documented that along the cave system, they encounter additional Karst Windows which they surface in and replace empty air tanks with full ones to continue the dive.

The location map also shows where the pipeline route will be bored under US Highway 90 and that location relative to the Suwannee River crossing. The location of the pipeline route here is taken from Sabal Trail documents. Sabal Trail documents also reference and have maps showing the Falmouth Springs (Karst Window) cave system. That cave system has to be crossed in order to follow their pipeline route. The cave system is roughly located on the attached LiDAR map (Figure 3.).

I can defend the fact that here is limestone exposed at Falmouth springs and using the LiDAR I can, within a few feet, tell what the elevation of the limestone is. It is at approximately 32' NGVD. It can also be defended that before the pipeline crosses US

CO31-1 See the response to comment FA2-27 and sections 3.1.2.3 and 3.3.1 of the EIS which adequately characterize geologic and hydrogeologic setting in the project area.

CO31-2 As disclosed in section 3.3.1.6, the Falmouth/Cathedral cave is approximately 150 feet below the ground surface at the proposed pipeline crossing. The pipeline would be installed at a shallow depth and would not involve the use of the HDD method. Construction of the pipeline would not be expected to impact the Falmouth/Cathedral cave system. Sabal Trail would also report any karst mitigation measures that were implemented to the Commission in its regular construction status reports.

CO31-2, cont'd

Highway 90 it has to cross over the Falmouth cave system. Right where the proposed pipeline crosses the cave system there are several large sinkholes, the bottom of which are at approximately 32' NGVD. At least one of these is a Karst Window if not more.

Karst Windows are sinkholes that have fallen and expose the underlying aquifer. The cave system is in that aquifer and it can be defended that the elevation of the bottom of these karst windows that Sabal Trail will have cross are similar to the elevation at the bottom of Falmouth Springs. Without specific drilling information, it can be assumed that the competent limestone occurs at the elevation of the bottom of the Karst Windows, if not higher, because there is normally a limestone roof keeping the caves from entirely falling in.

Many many sinkholes occur in retention basins throughout the Karst regions of Florida. These occur in shallow excavations as well as deep excavations. I have worked extensively at the chicken processing plant that is adjacent to US 90 and south of it. The pipe line runs through that property and just south of the cave system. My work there related to subsidence and sinkhole activity due to excavations of surface soil for retention areas, subsidence and problems with the production wells.

Our worry is that excavation for pipe lying across the Falmouth cave system and the boring depth under US 90 will result in collapse into the cave system. The karst mitigation plan describes how sinkhole features that appear during construction will be restored. When caverns are encountered, they propose completely filling the void with cement and then filling the hole.

They cannot plug the cave system because it is a cultural and natural resource in the county, divers depend on being able to reach the end. Filling the cavern will slow flow at the spring discharge point in the SRSP, something they are not allowed to do.

Sabal Trail does not have a karst mitigation plan that describes how they will address a collapse into the cave system.

Sincerely,

Dennis J. Price, P.G.
SE Environmental Geology
P.O. Box 45
White Springs, Fl. 32096
386-884-0039
Cell 362-8189
den1@windstream.net

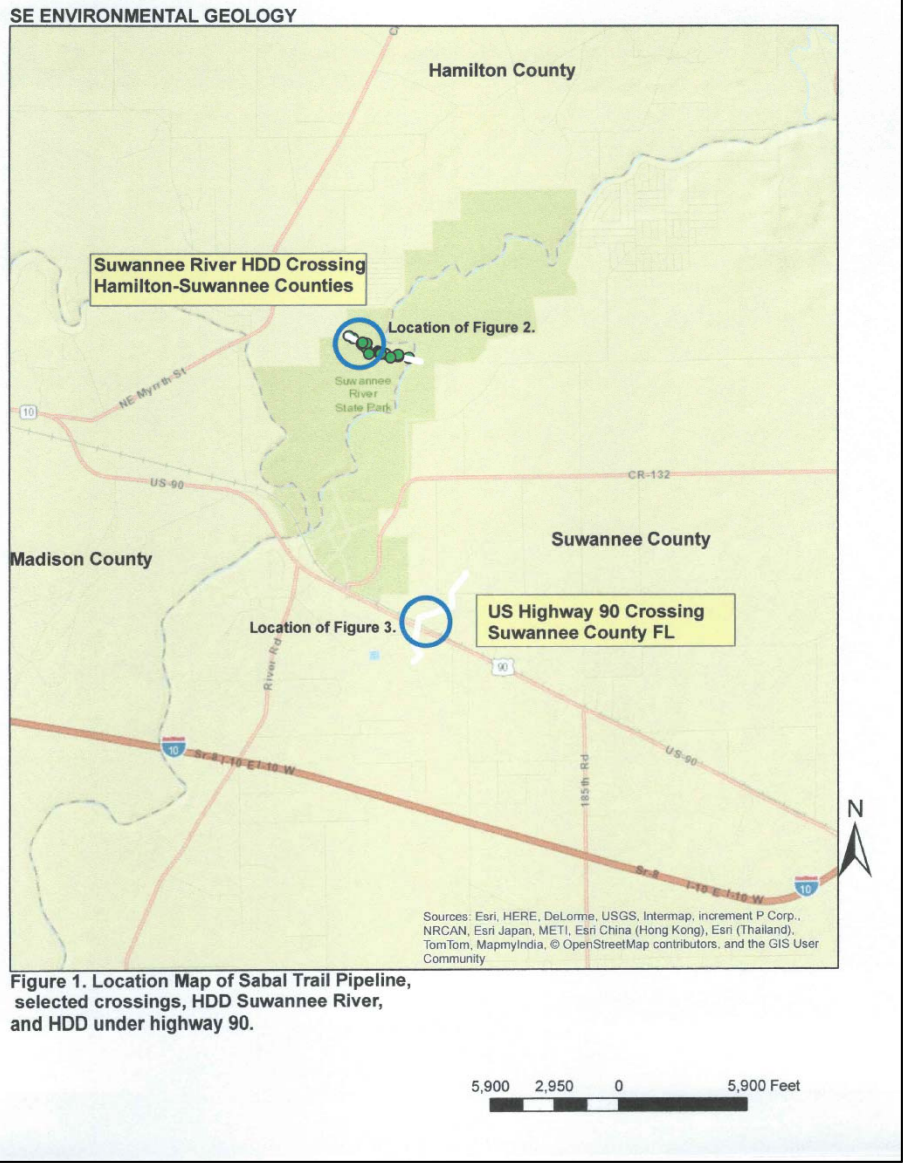

Figure 1. Location Map of Sabal Trail Pipeline, selected crossings, HDD Suwannee River, and HDD under highway 90.

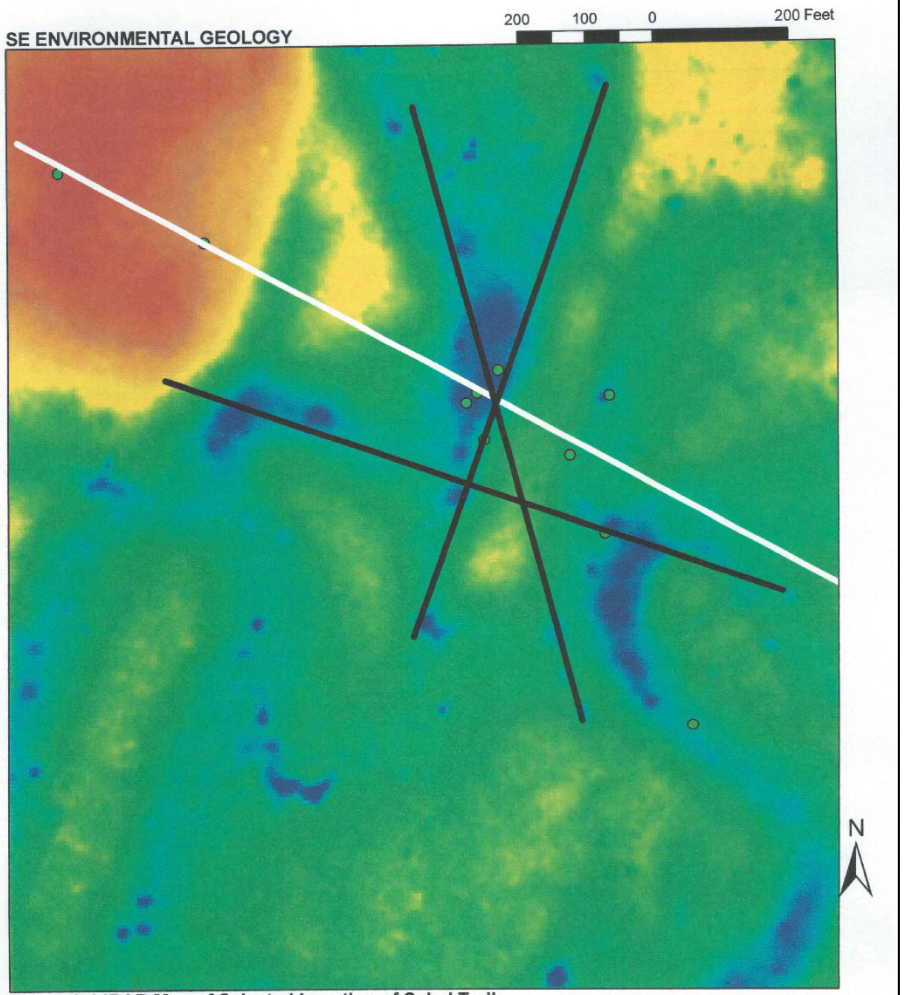

Figure 2. LiDAR Map of Selected Location of Sabal Trail Pipeline as it approaches the Suwannee River. This is the HDD Crossing showing theunderground route and the location of sinkholes and possible fracture traces in the limestone.

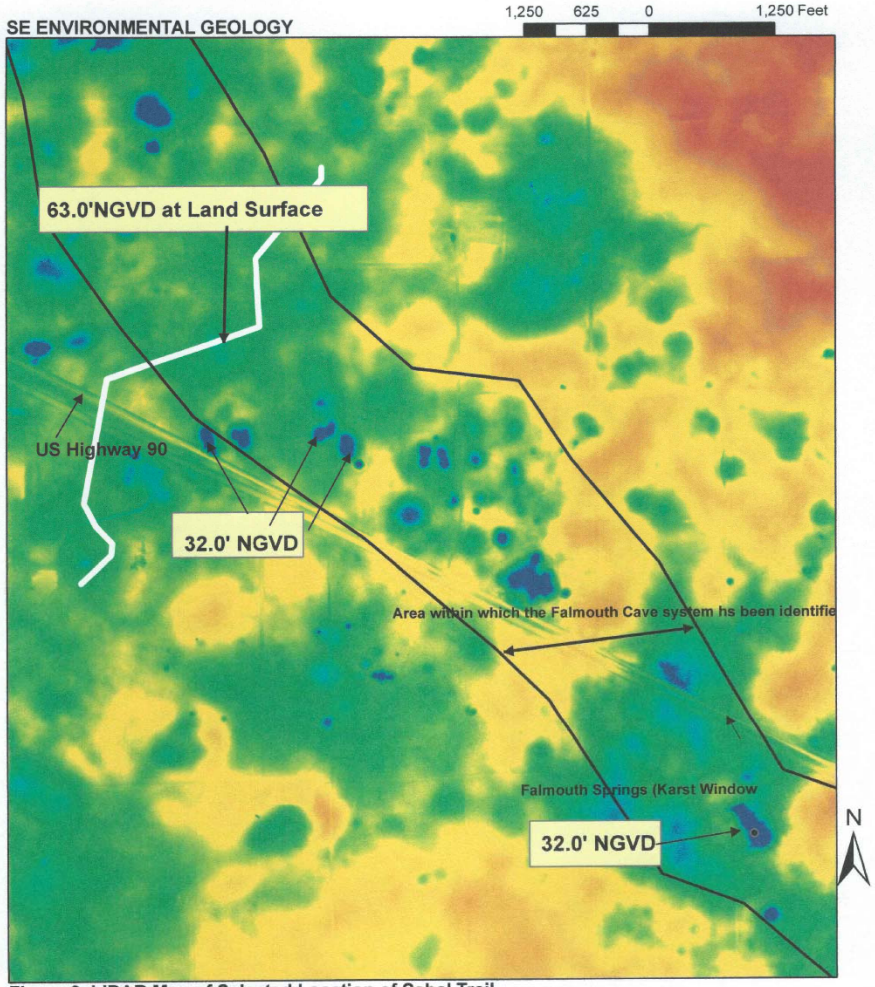

Figure 3. LiDAR Map of Selected Location of Sabal Trail Pipeline as it approaches US Hiway 90. The pipeline route passes over the Falmouth cave system. Limestone within the designed sinkholes is at about 32' NGVD. Land surface where the pipeline crosses the cave system is about 63. NGVD.


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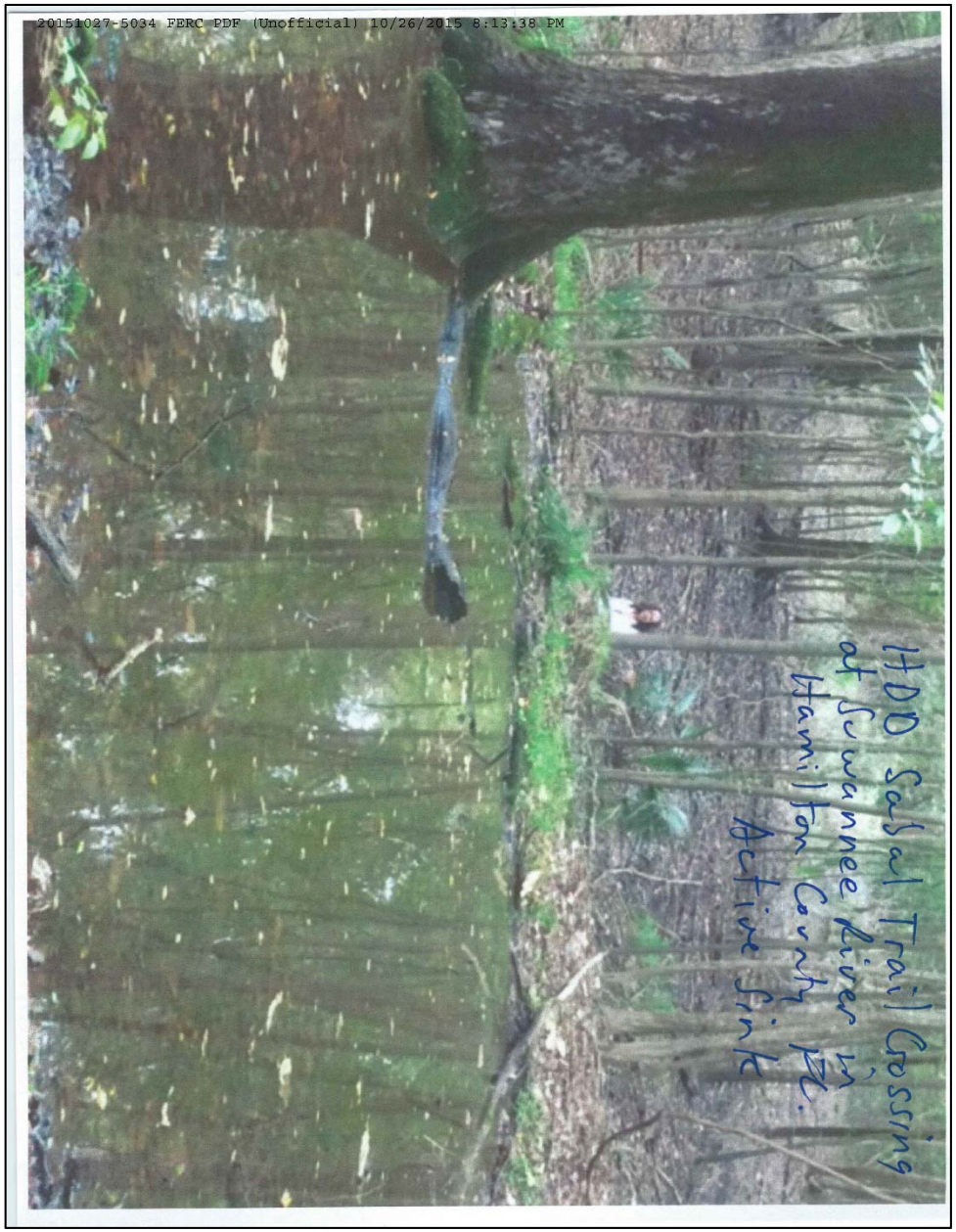
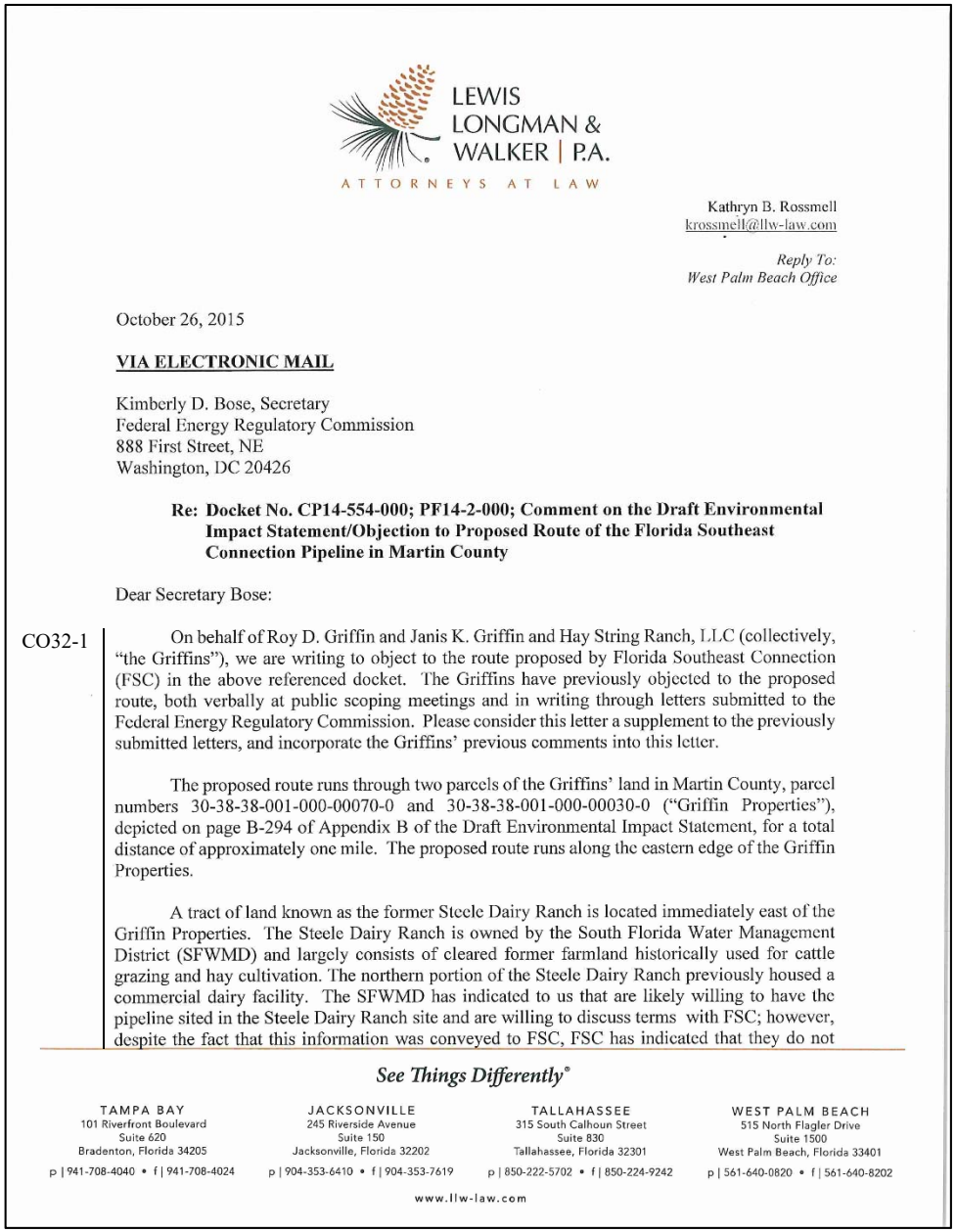
HDD Sabal Trail Crossing @
Suwannee River in
Hamilton County FL
Active sink


20151027-5034 FERC PDF (Unofficial) 10/26/2015 8:13:38 PM
HDD Sasabe Trail Crossing
at Suwannee River in
Hamilton County, FL.
Active Sink

COMPANIES AND ORGANIZATIONS

CO32 – Lewis Longman and Walker



LEWIS LONGMAN & WALKER | P.A.
ATTORNEYS AT LAW

Kathryn B. Rossmell
krossmell@llw-law.com

Reply To:
West Palm Beach Office

October 26, 2015

VIA ELECTRONIC MAIL

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Docket No. CP14-554-000; PF14-2-000; Comment on the Draft Environmental Impact Statement/Objection to Proposed Route of the Florida Southeast Connection Pipeline in Martin County

Dear Secretary Bose:

CO32-1 On behalf of Roy D. Griffin and Janis K. Griffin and Hay String Ranch, LLC (collectively, "the Griffins"), we are writing to object to the route proposed by Florida Southeast Connection (FSC) in the above referenced docket. The Griffins have previously objected to the proposed route, both verbally at public scoping meetings and in writing through letters submitted to the Federal Energy Regulatory Commission. Please consider this letter a supplement to the previously submitted letters, and incorporate the Griffins' previous comments into this letter.

The proposed route runs through two parcels of the Griffins' land in Martin County, parcel numbers 30-38-38-001-000-00070-0 and 30-38-38-001-000-00030-0 ("Griffin Properties"), depicted on page B-294 of Appendix B of the Draft Environmental Impact Statement, for a total distance of approximately one mile. The proposed route runs along the eastern edge of the Griffin Properties.

A tract of land known as the former Steele Dairy Ranch is located immediately east of the Griffin Properties. The Steele Dairy Ranch is owned by the South Florida Water Management District (SFWMD) and largely consists of cleared former farmland historically used for cattle grazing and hay cultivation. The northern portion of the Steele Dairy Ranch previously housed a commercial dairy facility. The SFWMD has indicated to us that are likely willing to have the pipeline sited in the Steele Dairy Ranch site and are willing to discuss terms with FSC; however, despite the fact that this information was conveyed to FSC, FSC has indicated that they do not

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CO32-1 We reviewed the information provided by the commentor and FSC and conclude that the route variation proposed by the Griffins does not offer a significant environmental advantage over the route proposed by FSC, and do not recommend adoption of the route variation.

CO32-1 cont'd

intend to alter the proposed route and have not engaged in further discussion with SFWMD on this matter. A copy of a recent email from SFWMD confirming their intent to further correspond with FSC regarding re-routing the pipeline is attached.

The Griffins contracted with DLS Environmental Services, Inc. to perform a Wetland Assessment comparing the wetlands on the Griffin Properties with those on the Steele Dairy Ranch. A copy of the Wetland Assessment Report is enclosed with this letter. FSC was also provided with a copy of this Report. The report indicated that the wetlands on the Steele Dairy Ranch contained more exotic and/or nuisance species than the wetlands on the Griffin Properties, which contained only "very minimal" amounts of exotic or nuisance species. Routing the pipeline along this border within the SFWMD property would create the opportunity to remove these invasive and exotic plants, potentially increasing the ecological value of the SFWMD property. Therefore, it is likely that siting the pipeline over the Griffin property would have a greater negative environmental impact that if the pipeline were to be placed on the Steele Dairy Ranch.

Finally, the border of the Steele Diary Ranch adjacent to the Griffin Property is maintained as a "fire break" and is kept in a mowed condition, rather than as pristine wetlands. Several photographs illustrating this fire break are also enclosed with this letter. Because of the manner in which the border of the Steele Dairy Ranch is maintained, it is ideally suited to house the pipeline and would not interfere with lands in a natural state.

Please consider this letter a reiteration of the Griffins' strong objections to the proposed route for the Florida Southeast Connection through Martin County. I look forward to working the Federal Energy Regulatory Committee and Florida Southeast Connection, LLC to resolve these outstanding issues. Please feel free to contact me with any questions or to discuss this matter further.

Sincerely,

Kathryn B. Rossmell
Stephen A. Walker

c: John Peconom, Environmental Project Manager (john.peconom@ferc.gov)
Robert E. Sharra, Director Business Development, Florida Southeast Connection, LLC, 700 Universe Blvd, Juno Beach, FL 33408 (Robert.sharra@nee.com)

00573957-2

The attachments to this letter are available for view on the FERC's eLibrary site using accession number 20151027-5045.

Springs Protection Group
13101 SE 158th Lane
Weirsdale Fl 32195

Donald E. Browning, Founder, CEO
SpringsProtection.com
SaveSilverSprings.com
BestFloridaVisit.com

October 22, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Re: Sabal Trail Transmission Project: Docket Number CP15-17-000

Dear Commissioners:

CO33-1

As spokesman for our TeamConservation.com and our Environmental Alliance, I urge you to support and approve CP15-17-000. It is critical that we responsibly transfer energy via this Sable Trail project in order to have an orderly functioning use of energy in our growing society. Here at Springs Protection.com and Save Silver Springs we fully support the Pipeline Project docket number CP15-17-000.

There will be a positive environmental impact from safe transmission of energy. Our Springs and waterways are much safer with this project as well as the entire environment. Natural Gas will save considerable carbon footprint impact by reducing oil use as well as Nuclear waste from alternative power sources.

I am writing today to urge your approval of the Sabal Trail Transmission's tri-state natural gas pipeline project application filed with the Federal Regulatory Commission as Docket Number CP15-17-000. This Project is an environmental Must Have.

As a longtime champion of keeping Florida's springs and waterways healthy, I have no reservations regarding the building of this pipeline. There will be no negative environmental impact, and the economic impact will be tremendous. The impact will be very positive for a safer environment.

CO33-1 Comment noted.

CO33-1, cont'd

This project will give over 5,500 Americans jobs during the construction phase. Of the 527 permanent jobs that will be available after completion, 288 will be given to Floridians. Additionally, over $43 million will be generated for the state after construction.

Florida is in need of a better natural gas transmission infrastructure. Right now, we do not have one to meet our current demand. By bringing affordable, clean natural gas to Florida, the pipeline will revitalize the economy and spur economic growth.

In addition, safety is a top priority of the Sabal Trail Transmission. Through close work with public safety officials, Sabal Trail will ensure safe and reliable operation at its facilities along the pipeline.

Please take this into consideration when you review the Sabal Trail Transmission application and give this important project the green light.

Vote YES and help ensure a safer environment with a healthy economy.

Sincerely,

Don Browning
Environmental Alliance Team Leader
SpringsProtection.com
SaveSilverSprings.com
FloridaWaterCzar.com
TeamConservation.com
MarionSunTimes.com
DiscoverMarionCounty.com